

unanimous consent for the present consideration of Senate bill 6777.

The PRESIDENT pro tempore. The Senator from South Carolina asks unanimous consent for the present consideration of a bill, the title of which will be stated.

The SECRETARY. A bill (S. 6777) to authorize the board of county commissioners of Horry County, S. C., to construct a bridge across Kingston Lake at Conway, S. C.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment, in line 8, after the word "commissioners," to insert "and approved by the Secretary of War," so as to make the bill read:

Be it enacted, etc., That the board of county commissioners of Horry County, S. C., be, and they are hereby, authorized to construct, maintain, and operate a steel or wood bridge across Kingston Lake at Conway, S. C., at such a point as may be determined by the said board of county commissioners, and approved by the Secretary of War, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. GALLINGER. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, June 4, 1912, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

MONDAY, June 3, 1912.

The House met at 12 o'clock m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou who are supremely wise, just, pure, and holy; whose mercy is from everlasting to everlasting, create within us as a ruling passion the desire to mold our characters into the likeness of our Maker, that we may be wise, just, pure, holy in all that pertains to life, and at least hear the words, "Well done, good and faithful servant, enter thou into the joy of thy Lord." And thine be the praise forever. Amen.

The Journal of the proceedings of Saturday, June 1, 1912, was read and approved.

PENSIONS.

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent to call up the bill (H. R. 23063) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent children of soldiers and sailors of the Civil War, with Senate amendments thereto, disagree to Senate amendments, and to ask for a conference.

Also, to call up the bill (H. R. 23557) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent children of soldiers and sailors of the Civil War, with Senate amendment thereto, disagree to the Senate amendments, and to ask for a conference.

The SPEAKER. The gentleman from Missouri asks unanimous consent to call up the bills H. R. 23063 and H. R. 23557, with Senate amendments thereto, to disagree to the Senate amendments, and to ask for a conference. Is there objection?

There was no objection.

The Chair announced the following conferees: Mr. SHERWOOD, Mr. RUSSELL, and Mr. LANGHAM.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 6946. An act authorizing the sale of certain lands in the Flathead Indian Reservation to the town of Ronan, State of Montana, for the purpose of a public park and public-school site; and

S. 3203. An act to authorize the sale of certain lands within the Umatilla Indian Reservation to the city of Pendleton, Oreg.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 3367. An act to amend section 2291 and section 2297 of the Revised Statutes of the United States, relating to homesteads; and

S. 405. An act authorizing the Secretary of the Interior to classify and appraise unallotted Indian lands.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3203. An act to authorize the sale of certain lands within the Umatilla Indian Reservation to the city of Pendleton, Oreg.; to the Committee on Indian Affairs.

S. 6946. An act authorizing the sale of certain lands in the Flathead Indian Reservation to the town of Ronan, State of Montana, for the purposes of a public park and public-school site; to the Committee on Indian Affairs.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 20111. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

MEMORIAL DAY.

Mr. AUSTIN. Mr. Speaker, I ask unanimous consent to print as a part of my remarks the able and patriotic address delivered by my colleague, the gentleman from Kentucky [Mr. LANGLEY], on Decoration Day at Glenwood Cemetery, in this city.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to print as a part of his remarks in the RECORD a speech delivered by Representative LANGLEY, of Kentucky, on Memorial Day. Is there objection?

There was no objection.

Mr. GARNER. Mr. Speaker, it is understood that this will appear in the RECORD at the end of the proceedings?

Mr. AUSTIN. Yes.

CALENDAR FOR UNANIMOUS CONSENT.

The SPEAKER. This is unanimous-consent day, and the Clerk will report the first bill on the Calendar for Unanimous Consent.

FIVE CIVILIZED TRIBES.

The first business on the Calendar for Unanimous Consent was the bill (S. 4948) to amend an act approved May 27, 1908, entitled "An act for the removal of restrictions from part of the lands of allottees of the Five Civilized Tribes, and for other purposes."

Mr. CARTER. Mr. Speaker, I ask unanimous consent to have that bill passed without prejudice.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to pass the bill without prejudice. Is there objection?

There was no objection?

Mr. CARTER. Mr. Speaker, I make the same request in respect to the bill H. R. 22083, relating to inherited estates in the Five Civilized Tribes in Oklahoma.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to pass without prejudice the bill H. R. 22083. Is there objection?

There was no objection, and it was so ordered.

MEXICAN WAR SURVIVORS.

The next bill on the Calendar for Unanimous Consent was the bill H. R. 14054, to increase the pensions of Mexican War survivors in certain cases.

The Clerk read the bill.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I understand that all of the provisions of this bill are covered in the general pension act.

Mr. RICHARDSON. Mr. Speaker, I am informed that through the kindness of my friend from Illinois, Mr. MANN, a few days ago, while I was absent, the Mexican bill was called up on the Calendar for Unanimous Consent. The Mexican bill was placed on that calendar for the purpose of making pro-

vision for these veterans in the event that the Sherwood bill did not pass.

The SPEAKER. Then there is no need to pass this bill.

Mr. RICHARDSON. No; it should be stricken from the calendar.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the bill be laid on the table.

The SPEAKER. Is there objection?

There was no objection, and it was so ordered.

EXCHANGE OF SCHOOL SECTIONS WITHIN AN INDIAN OR OTHER RESERVATION, ETC.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 19344) to authorize the Secretary of the Interior to exchange lands for school sections within an Indian, military, national forest, or other reservation, and for other purposes.

The bill was read.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I think after they get through with any discussion I shall object.

Mr. RAKER. Will the gentleman object to the consideration of the bill?

Mr. MANN. I think so.

Mr. RAKER. Mr. Speaker, under the circumstances it is a long distance from here to California, and I have parties who have a good deal of information in regard to this matter. I hope by next Unanimous Consent Calendar day to have all the information desired in shape, and I ask unanimous consent that this bill be passed without prejudice until next Unanimous Consent Calendar day.

Mr. MONDELL. Mr. Speaker, I do not know I shall object to unanimous consent, but I do not understand why we should have to wait over for any information from California in reference to this bill. As a matter of fact, this is a bill in which every one of the public-land States is equally interested. We are all equally interested in having legislation, and it does not apply to California any more than it does to Wyoming, Montana, or any of these other States. It is simply an act declaratory of the present law, something made necessary by reason of the fact that there has been some difference of opinion in regard to the proper interpretation of the present law.

Mr. GARNER. May I interrupt the gentleman? Mr. Speaker, the last Unanimous Consent Calendar day we did not get through with the business on the calendar, and where a gentleman announces his intention to object to the bill anyway, it does not seem to me it is looking to the progress of business in the House to continue discussion on a bill where a gentleman is certain he is going to object in the end. If any gentleman in the House wants to have unanimous consent to extend his remarks in the Record on any bill on the Unanimous Consent Calendar he can get that privilege, but to use up 20 minutes or more in a discussion of a bill that is certainly going to be objected to, seems to me folly, and that the time of the House ought to be utilized on those bills that may be considered for the purpose of passing them.

Mr. RAKER. If the gentleman will allow me, we have not consumed two minutes upon this proposition. By the time the next unanimous-consent day comes around I will be in a position to give all the information that may be needed to avoid any possible objection to unanimous consent, and there ought not to be any objection to giving two weeks' time within which to do that and permit this bill to go over until next calendar day.

Mr. GARNER. I have no objection to the request of the gentleman from California to pass this without prejudice, and the gentleman from Illinois does not object to that, but why consume 30 minutes to accomplish the same purpose—

Mr. FOSTER. The gentleman does not think that a fair discussion of these bills is not a proper thing in the House?

Mr. GARNER. No; I do not object to a discussion of these bills; but when the gentleman from Illinois has already given notice that he is going to object I see no use in the discussion.

Mr. EDWARDS. But the gentleman from California simply wants it to go over now.

Mr. GARNER. He has a right to ask unanimous consent.

Mr. FOSTER. It occurs in the calling up of these bills there may be matter we do not understand and possibly an explanation of the object of the bill would make it so there would be no objection.

Mr. GARNER. Mr. Speaker, that is correct; and whenever the gentleman from Illinois [Mr. FOSTER] rises in his place and says that he would like to have this bill explained in order to determine whether he will object I am not objecting to that, but when the gentleman from Illinois [Mr. MANN] says that he

intends to object, then I see no necessity of continuing this discussion.

Mr. FOSTER. I judge the gentleman from Illinois states that he will object on his present information.

Mr. MANN. I stated I thought I should object; I did not say I intended to object.

Mr. FOSTER. The gentleman from California might convince the gentleman from Illinois that he was wrong.

Mr. RAKER. Mr. Speaker, let me say to the gentleman from Texas and the gentleman from Illinois—

Mr. JACKSON. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is to find out whether gentlemen are going to object to this bill or not.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that we pass, without prejudice, the consideration of this bill to the next Unanimous Consent Calendar day.

The SPEAKER. The gentleman from California asks unanimous consent to pass over this bill without prejudice. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman whether he thinks it will be sufficient to pass it over this day, or whether it will be necessary to pass it over a few more times?

Mr. RAKER. I will be in a position at the next unanimous-consent day to let it go on; and if not, I will have to take another course.

Mr. MANN. I do not object.

The SPEAKER. Is there objection to passing over this bill without prejudice? [After a pause.] The Chair hears none, and it is so ordered.

DISPOSAL OF SURPLUS LANDS, STANDING ROCK INDIAN RESERVATION.

The next business on the Calendar for Unanimous Consent was the bill (S. 109) to authorize the sale and disposition of the surplus and unallotted lands in the Standing Rock Indian Reservation, in the States of South Dakota and North Dakota, and making appropriation and provision to carry the same into effect.

The Clerk proceeded to read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed, as hereinafter provided, to sell and dispose of all that portion of the Standing Rock Indian Reservation, in the States of South Dakota and North Dakota, lying and being within the following-described boundaries, to wit: Commencing at a point in the center of the main channel of the Missouri River where the township line between townships 18 and 19 north intersects the same; thence west on said township line to a point where the range line between ranges 22 and 23 east intersects the same; thence north along the said range line to the northwest corner of section 19, in township 21 north, of range 23 east; thence east on the section line north of sections 19, 20, 21, 22, 23, and 24 to a point where the same intersects the range line between ranges 23 and 24 east; thence north along said range line to a point where the same intersects the State line between the States of South Dakota and North Dakota; thence west on said State line to a point where the range line between ranges 84 and 85 west in North Dakota intersects the same; thence north on said range line between ranges 84 and 85 west to a point where it intersects the center of the main channel of the Cannon Ball River; thence in a northeasterly direction down and along the center of the main channel of said Cannon Ball River to a point where it intersects the center of the main channel of the Missouri River; thence in a southerly direction along the center of the main channel of the said Missouri River to the place of beginning, and including also entirely all islands, if any, in said river, except such portions thereof as have been allotted to Indians: *Provided*, That sections 16 and 36 of the lands in each township therein shall not be disposed of, but shall be reserved for the use of the common schools of the States of South Dakota and North Dakota, respectively: *Provided further*, That the Secretary of the Interior may reserve such lands as he may deem necessary for agency, school, and religious purposes, to remain reserved as long as needed and as long as agency, school, or religious institutions are maintained thereon for the benefit of said Indians: *Provided, however*, That the Secretary of the Interior is hereby authorized and directed to issue a patent in fee simple to the duly authorized missionary board, or other proper authority of any religious organization, heretofore engaged in mission or school work on said reservation, for such lands thereon (not included in any town site herein provided for) as have been heretofore set apart to such organization for mission or school purposes.

Mr. BURKE of South Dakota. Mr. Speaker—

Mr. FOSTER. Reserving the right to object—

Mr. BURKE of South Dakota. Mr. Speaker, the bill has not been read yet. The committee has reported a substitute, and the substitute in section 1 is exactly the same as Senate bill 109. I ask unanimous consent that, beginning on page 12, line 3, of the bill, the substitute be read instead of the original bill.

The SPEAKER. Without objection, the Clerk will read the substitute.

There was no objection.

The Clerk read as follows:

That the Secretary of the Interior be, and he is hereby, authorized and directed, as hereinafter provided, to sell and dispose of all that portion of the Standing Rock Indian Reservation, in the States of

South Dakota and North Dakota, lying and being within the following-described boundaries, to wit: Commencing at a point in the center of the main channel of the Missouri River where the township line between townships 18 and 19 north intersects the same; thence west on said township line to a point where the range line between ranges 22 and 23 east intersects the same; thence north along the said range line to the northwest corner of section 19, in township 21 north, of range 23 east; thence east on the section line north of sections 19, 20, 21, 22, 23, and 24 to a point where the same intersects the range line between ranges 23 and 24 east; thence north along said range line to a point where the same intersects the State line between the States of South Dakota and North Dakota; thence west on said State line to a point where the range line between ranges 84 and 85 west in North Dakota intersects the same; thence north on said range line between ranges 84 and 85 west to a point where it intersects the center of the main channel of the Cannon Ball River; thence in a northeasterly direction down and along the center of the main channel of said Cannon Ball River to a point where it intersects the center of the main channel of the Missouri River; thence in a southerly direction along the center of the main channel of the said Missouri River to the place of beginning, and including also entirely all islands, if any, in said river, except such portions thereof as have been allotted to Indians: *Provided*, That sections 16 and 36 of the lands in each township therein shall not be disposed of, but shall be reserved for the use of the common schools of the States of South Dakota and North Dakota, respectively: *Provided further*, That the Secretary of the Interior may reserve such lands as he may deem necessary for agency, school, and religious purposes, to remain reserved as long as needed and as long as agency, school, or religious institutions are maintained thereon for the benefit of said Indians: *Provided, however*, That the Secretary of the Interior is hereby authorized and directed to issue a patent in fee simple to the duly authorized missionary board, or other proper authority of any religious organization, heretofore engaged in mission or school work on said reservation, for such lands thereon (not included in any town site herein provided for) as have been heretofore set apart to such organization for mission or school purposes.

SEC. 2. That the lands shall be disposed of by proclamation under the general provisions of the homestead and town-site laws of the United States, and shall be opened to settlement and entry by proclamation of the President, which proclamation shall prescribe the manner in which the lands may be settled upon, occupied, and entered by persons entitled to make entry thereof; and no person shall be permitted to settle upon, occupy, or enter any of said lands except as prescribed in said proclamation: *Provided*, That prior to said proclamation the Secretary of the Interior shall cause allotments to be made to every man, woman, and child belonging to or holding tribal relations in said reservations who have not heretofore received the allotments to which they are entitled under provisions of existing laws: *Provided, however*, That the said Secretary is hereby authorized to designate the superintendent of the Standing Rock Indian School to allot each child born subsequent to the completion of the allotments herein provided for and 60 days prior to the date set by said proclamation for the entry of said surplus lands: *Provided further*, That the Secretary of the Interior be, and he is hereby, authorized and directed to cause to be surveyed all the unsurveyed lands, if any, within said reservation, and to cause an examination to be made of the lands by experts of the Geological Survey, and if there be found any lands bearing coal or other valuable minerals the said Secretary is hereby authorized to reserve them from allotment or disposition until further action by Congress: *And provided further*, That the rights of honorably discharged Union soldiers and sailors of the late Civil and Spanish Wars or Philippine Insurrection, as defined and described in sections 2304 and 2305 of the Revised Statutes, as amended by the act of March 1, 1901, shall not be abridged.

SEC. 3. That before any of the land is disposed of, as hereinafter provided, and before the States of South Dakota and North Dakota, respectively, shall be permitted to select or locate any lands to which it may be entitled by reason of the loss of sections 16 or 36, or any portions thereof, by reason of allotments thereof to any Indian or Indians, the Secretary of the Interior is authorized to reserve from said lands such tracts for town-site purposes as in his opinion may be required for the future public interests, and he may cause same to be surveyed into lots and blocks and disposed of under such regulations as he may prescribe, and he is hereby authorized to set apart and reserve for school, park, and other public purposes not more than 10 acres in any one town site, and patents shall be issued to the lands so set apart and reserved for school, park, and other public purposes to the municipality legally charged with the care and custody of lands donated for such purposes. The purchase price of all town lots sold in town sites, as hereinafter provided, shall be paid at such time and in such installments as the Secretary of the Interior may direct. He shall cause not more than 20 per cent of the net proceeds arising from such sales to be set apart and expended under his direction in the construction of schoolhouses and other public buildings, or in improvements within the town sites wherein such lots are located. The net proceeds derived from the sale of such lots and lands within the town sites as aforesaid shall be credited to the Indians as hereinafter provided: *Provided further*, That all children of school age and of Indian parentage shall be admitted at all times to the public schools within said town sites on an equal footing with all other children admitted to the said schools.

SEC. 4. That the price of said lands entered as homesteads under the provisions of this act shall be as follows: Upon all lands entered or filed upon within three months after the same shall be opened for settlement and entry, \$6 per acre, and upon all lands entered or filed upon after the expiration of three months and within six months after the same shall have been opened for settlement and entry, \$4 per acre; after the expiration of six months, after the same shall have been opened for settlement and entry, the price shall be \$2.50 an acre.

SEC. 5. That the price of said lands shall be paid in accordance with the rules and regulations to be prescribed by the Secretary of the Interior upon the following terms: One-fifth of the purchase price to be paid in cash at the time of entry and the balance in five equal installments, the first within two years and the remainder annually in three, four, five, and six years, respectively, from and after the date of entry. In case any entryman fails to make the annual payments, or any of them, when due, all rights in and to the land covered by his entry shall cease, and any payments theretofore made shall be forfeited and the entry canceled, and the lands shall be reoffered for sale and entry under the provisions of the homestead law at the price fixed herein: *Provided*, That nothing in this act shall prevent homestead settlers from commuting their entries under section 2301, Revised Statutes, by paying for the land entered the price fixed herein,

receiving credit for the payments previously made. In addition to the price to be paid for the land the entryman shall pay the same fees and commissions at the time of commutation of final entry as now provided by law where the price of land is \$1.25 per acre; and when the entryman shall have complied with all the requirements and terms of the homestead laws as to settlement and residence, and shall have made all the required payments aforesaid, he shall be entitled to patent for the lands entered: *Provided further*, That any lands remaining unsold after said lands have been opened to entry for five years may be sold to the highest bidder for cash, without regard to the prescribed price thereof fixed under the provisions of this act, under such rules and regulations as the Secretary of the Interior may prescribe, and patents therefor shall be issued to the purchasers.

SEC. 6. That from the proceeds arising from the sale and disposition of the lands aforesaid, exclusive of the customary fees and commissions, there shall be deposited in the Treasury of the United States, to the credit of the Indians belonging and having tribal rights on the said reservation, the sums of which the said tribe may be entitled, which shall draw interest at 3 per cent per annum; that the moneys derived from the sale of said lands and deposited in the Treasury of the United States to the credit of said Indians shall be at all times subject to appropriation by Congress for their education, support, and civilization: *Provided*, That from any moneys in the Treasury to the credit of the Standing Rock Indians derived from the proceeds arising from the sale and disposition of their portion of the surplus and unallotted lands disposed of under section 6 of the act approved May 29, 1908, the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to distribute and pay to each of the Indians belonging to said tribe and entitled thereto a sum not exceeding \$40 per capita.

SEC. 7. That sections 16 and 36 of the land in each township within the tract described in section 1 of this act shall not be subject to entry, but shall be reserved for the use of the common schools and paid for by the United States at \$2.50 per acre, and the same are hereby granted to the States of South Dakota and North Dakota, respectively, for such purpose, and in case any of said sections or parts thereof are lost to either of the said States by reason of allotments thereof to any Indian or Indians or otherwise, the governor of each of said States, respectively, with the approval of the Secretary of the Interior, is hereby authorized, within the area described in section 1 of this act, to locate other lands not otherwise appropriated, not exceeding two sections in any one township, which shall be paid for by the United States, as herein provided, in quantity equal to the loss, and such selections shall be made prior to the opening of such lands to settlement.

SEC. 8. That the lands allotted, those retained or reserved, and the surplus lands sold, set aside for town-site purposes, or granted to the State, or otherwise disposed of, shall be subject for a period of 25 years to all the laws of the United States prohibiting the introduction of intoxicants into the Indian country.

SEC. 9. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$180,000, or so much thereof as may be necessary, to pay for the lands granted to the States of South Dakota and North Dakota, as provided in section 7 of this act. And there is hereby appropriated the further sum of \$10,000, or so much thereof as may be necessary, for the purpose of making the surveys and allotments provided for herein: *Provided*, That the said \$10,000, or so much thereof as may be expended for the purpose of carrying out the provisions of this act, shall be reimbursed to the United States from the proceeds received from the sale of the lands described herein or from any money in the Treasury belonging to said Indian tribe.

SEC. 10. That nothing in this act contained shall in any manner bind the United States to purchase any portion of the land herein described, except sections 16 and 36, or the equivalent, in each township, or to dispose of said land except as provided herein, or to guarantee to find purchasers for said lands or any portion thereof, it being the intention of this act that the United States shall act as trustee for said Indians to dispose of the said lands and to expend and pay over the proceeds received from the sale thereof only as received and as herein provided: *Provided*, That nothing in this act shall be construed to deprive the said Indians of the Standing Rock Indian Reservation of any benefits to which they are entitled under existing treaties or agreements not inconsistent with the provisions of this act.

The SPEAKER. Is there objection?

Mr. FOSTER. Mr. Speaker, reserving the right to object, I would like to have the gentleman from South Dakota [Mr. BURKE] give some explanation of this bill. I have some communications from parties interested in the opening of this reservation, and it occurs to me that if the things contained in those communications are true, the Government ought not to open this reservation at this time and dispose of these lands.

The SPEAKER. Does the gentleman object?

Mr. FOSTER. I reserve the right to object.

Mr. BURKE of South Dakota. Mr. Speaker, the Standing Rock Reservation contains about 1,300,000 acres of land. It has all been allotted, with the exception of about 219,000 acres, which this bill proposes to put upon the market and to have sold to homestead settlers.

The Standing Rock Indians are one of the Sioux Tribes of Indians, and have in allotments the largest area of land of any tribe of Indians in the United States. The heads of families have 640 acres of land each. Their wives have 320 acres each. An unmarried Indian over the age of 18 years has 320 acres. Every child under 18 years of age has 160 acres. Consequently, a family of five in this tribe of Indians will have 980 acres in the husband and wife and 160 acres for each child, making in all 1,440 acres, which ought to be enough land for one family.

The original treaty, made in 1889, contemplated that after the allotments had been made the surplus lands should be disposed of and sold to homestead settlers. The theory of the law was that it would be beneficial to the Indians in many respects

to have the surplus lands settled upon and improved by the white people.

The communication that the gentleman from Illinois [Mr. FOSTER] refers to is from a delegation of Indians. This delegation came to Washington during the winter and spent some weeks here, and were twice before the Committee on Indian Affairs. They objected to the passage of this Senate bill for several reasons. The principal objection that they had to the bill was that they had not directly received any part of the proceeds from the sale of that portion of the Standing Rock Reservation which was opened to settlement under the law passed in 1908, and they were very solicitous that there be something paid to them from the sale of that land.

That law provides that the money shall go into the Treasury and be expended for the Indians for their support, civilization, and education. The Indians claim that the agent, Maj. McLaughlin, who negotiated with them before that law was passed, promised them that some part of the proceeds would be paid to them. After listening to this delegation and considering the communication which the gentleman referred to, the committee unanimously reported a substitute.

We have put into the substitute a provision by which not exceeding \$40 per capita may be paid from the proceeds of the sale of a portion of the reservation opened under the act of 1908, and I may say that one of the leading Indians of that delegation said to me before he left Washington that if there was a provision that they could have that payment, then they practically had no objection to the passage of the bill.

Another objection that they had to it was section 11, which provided that there should be paid 20 per cent of the proceeds received from the sale of the land opened under this act of 1908. They objected to that very strenuously, and that section is eliminated from the bill.

Another objection they had to the passage of the bill was that it provided for the appraisal of the land, and that it involved an expense of from fifteen to twenty-five dollars. We have eliminated that, and provided that the land shall be disposed of under terms to be fixed so that all land taken in the first three months shall be sold at a certain price, and at a less price for the next three months, and after that a price of \$2.50 an acre.

The department, in reporting upon this bill, recommends:

Notwithstanding the opposition to the opening of their reservation as expressed by the Indians in their council of November 28, 1911, I am of the opinion that the enactment of Senate bill 109, if amended as suggested herein, would be to the advantage of the Standing Rock Tribe at large.

We have made not only the amendments suggested by the department, but we have gone further, by making a provision that there shall be a per capita payment to the Indians.

If you will take the House report, you will find the report made by Maj. McLaughlin, the inspector who went to the Standing Rock Reservation and negotiated with these Indians, a man who has been in the Indian Service for more than 40 years, who for many years was the agent of the Standing Rock Indians, and he said in the concluding part of his report:

In conclusion, I desire to state that the Standing Rock Indians are well disposed and will acquiesce in any course pursued in the administration of their affairs; and notwithstanding their apparent opposition, as voiced by their chosen spokesmen, to the provisions of the pending bill, they will graciously accept whatever may be determined upon in this matter. Furthermore, having been intimately acquainted with the Standing Rock Indians for the past 30 years and believing that the opening of the surplus lands of their reservation will be beneficial to them as a people, as well as in the interests of the service, I respectfully recommend that legislation for the opening of their diminished reservation be enacted along the lines of Senate bill 109, Sixty-second Congress, first session, with the modifications herein suggested, and that at least one reasonable cash payment be made to them from the proceeds of their lands opened by the act of May 29, 1908.

Mr. GARNER. Mr. Speaker, I think the gentleman from South Dakota has made a very clear explanation of the bill. Undoubtedly the gentleman from Illinois [Mr. MANN] knows whether he is going to object to it. I want to give notice now that when these bills are called up, as they come up I am going to call for the regular order; and if gentlemen have not sufficiently examined a bill to know whether they will object to it, they will have to take the consequences. I demand the regular order.

Mr. BURKE of South Dakota. I do not understand that the gentleman objects to this bill—

Mr. GARNER. I do not object to the bill.

The SPEAKER. Did the gentleman from Texas object?

Mr. GARNER. I did not. I demand the regular order.

The SPEAKER. The regular order is what is going on now.

Mr. GARNER. The regular order is for the Chair to put the question whether or not there is objection.

The SPEAKER. The regular order is for Members to talk these things out. They sometimes exceed the limits of patience, but the Chair has no control of that.

Mr. GARNER. Mr. Speaker, if a gentleman, as the gentleman from Illinois [Mr. MANN] has done in this instance, reserves the right to object, and any gentleman in his place rises and says, "I demand the regular order," it is the duty of the Chair then to ask if anyone objects to this bill.

The SPEAKER. Perhaps that is true.

Mr. GARNER. I think it is true, and that is what I have done.

The SPEAKER. Is there objection?

Mr. FOSTER. Reserving the right to object—

Mr. EDWARDS. I object.

The SPEAKER. The gentleman from Georgia [Mr. EDWARDS] objects.

Mr. STEPHENS of Texas. I hope the gentleman will not object to this bill. If there were any objectionable features in it, they have been removed.

The SPEAKER. The gentleman has already objected. The bill goes off the calendar, and the Clerk will report the next one.

AMERICAN TRADE AND FOREIGN SHIPPING MONOPOLIES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 23470) to protect American trade and American shipping from foreign monopolies.

The bill was read, as follows:

Be it enacted, etc., That whenever in a proceeding brought under the provisions of the act of July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies," it shall be adjudged that the owners, managers, or operators of any vessel or vessels, whether of the United States or of any foreign country, are engaged in a contract, combination, or conspiracy in restraint of interstate or foreign trade or commerce, or are monopolizing or attempting to monopolize any part of such trade or commerce, in violation of such act, the court may, by its judgment or decree, prohibit all vessels employed pursuant to such contract, combination, or conspiracy, or in such monopolization or attempt to monopolize, from entering at or clearing from any port of the United States; whereupon it shall be unlawful for such vessel or vessels to so enter or clear until the court shall find that such contract, combination, or conspiracy has been canceled, terminated, or dissolved, or such monopolization or attempt to monopolize ended.

Sec. 2. That a penalty of \$25,000 shall be imposed upon any vessel which shall enter or clear from any port of the United States in violation of the provisions of a judgment or decree rendered as provided in section 1 of this act, for each and every such entry or clearance, which penalty or penalties may be recovered by proceedings in admiralty in the district court of the United States for the district in which said vessel may be, and which court may direct the sale of said vessel for the purpose of realizing the amount of said penalty or penalties and cost.

Sec. 3. That the Postmaster General is hereby authorized and directed to cancel any contract for carrying the ocean mails pursuant to the act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports, and to promote commerce," on satisfactory evidence to him that any vessel performing such a service under such contract is, at the time of performing such service, owned, operated, or controlled by any person or persons who, in any proceeding, civil or criminal, instituted by the Government of the United States, have been adjudged by a court of the United States to have violated the act of July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies," and that said vessel performing such a service under such contract at the time of performing such service is being used to carry out the purposes and objects adjudged unlawful in such proceeding.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I should like to ask some gentleman to explain this bill.

Mr. GARNER. I demand the regular order.

The SPEAKER. The rule ought to be construed in some reasonable way. The House is not obliged to vote on a bill or give unanimous consent instantly without knowing what there is in the bill. The Chair thinks there ought to be a reasonable limit. The Chair is with the gentleman from Texas that far.

Mr. HARDY. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. HARDY. My impression is that on the last unanimous-consent day this bill was up for unanimous consent and was being considered.

The SPEAKER. Was there a reservation of the right to object?

Mr. MANN. This bill was not reached on the last unanimous-consent day.

Mr. ALEXANDER. Yes; it was.

Mr. GARNER. Yes; it was, and it went over.

Mr. HARDY. We were engaged in the discussion of it. I do not believe there was any objection to it.

The SPEAKER. The Chair will ask the gentleman, for information, how it happened that if this bill was being discussed at the time the House adjourned on last unanimous-consent day there are six or eight bills ahead of it on the calendar to-day?

Mr. ALEXANDER. I think it occurred in this way, that other bills preceding it had been passed over by unanimous

consent, and for that reason they had precedence on the Unanimous Consent Calendar to-day.

Mr. MANN. That is correct.

Mr. ALEXANDER. It is a fact that this bill was being considered.

Mr. MANN. There was a reservation of the right to object.

Mr. ALEXANDER. The gentleman from Illinois [Mr. MANN] and others discussed it somewhat.

Mr. STEPHENS of Texas. I requested that two of these preceding bills be passed over on account of the sickness of the gentleman from Oklahoma [Mr. CARTER].

The SPEAKER. The Record will show.

Mr. GARNER. If I may be indulged a moment, I have no desire to cut off opportunity to ascertain the purport of a bill before the House, but the Chair will remember that on the last unanimous-consent day we considered the Unanimous-Consent Calendar all day and yet did not finish the calendar.

The SPEAKER. No; but there were three pages and a half of that calendar.

Mr. FOSTER. I think we did remarkably well last unanimous-consent day.

Mr. GARNER. If we are going to take up 30 minutes or an hour in the discussion of each bill, and then if some gentleman is going to object, he undoubtedly knows whether he intends to object, and I do not believe it is in the interest of public business to let the discussion proceed indefinitely under such circumstances.

Mr. FERRIS. Will the gentleman yield?

Mr. GARNER. Certainly.

Mr. FERRIS. I would like to call the gentleman's attention to the fact that on Calendar Wednesday when a Member is recognized he has the right to speak for one hour, and I would like to call attention to the fact that we have not been getting for a long while the benefit we ought to; we have not got off the calendar on Wednesday but one bill—and I might say on the side that that rule ought to be amended—

Mr. MANN. It ought to be abolished.

Mr. FERRIS. This is the only possible hope that Members have of getting their little bills through. I hope the gentleman from Texas will exercise more leniency than he has manifested this morning so that we may explain these bills, at least for a little time, and let the Member who feels it his duty to reserve an objection know whether he is going to object or not. Here we are with a calendar loaded to the guards with bills. No one himself, unless he is more diligent than the most of us, can tell the moment the title to a bill is read whether he is going to object or not. Unless he is given more latitude than the gentleman—and I want the gentleman from Georgia [Mr. EDWARDS] to hear this—unless he is given more latitude to explain it, the Unanimous Consent Calendar will be of no more use than Calendar Wednesday. These bills, while seemingly unimportant, are important, and they ought to be disposed of. The big appropriation bills have the right of way, and I think a man should hesitate a good while before he cuts off all possibility of getting these local bills considered.

Mr. GARNER. Mr. Speaker, the gentleman from Oklahoma evidently misunderstands my object in the premises. In the first place, referring to Calendar Wednesday, I have no way under the rules of hastening matters, or else I would take that procedure. Under the rules of this House on Calendar Wednesday when a bill is taken up and a Member gets the floor he is entitled to one hour, unless the previous question is moved, and the next gentleman has an hour. So, under the rules, if I am not in charge of a bill I do not feel authorized to move the previous question.

But the Unanimous Consent Calendar; I am anxious to let the man who has a bill have the opportunity to have it considered. I am not making objection myself, and each Member of the House will realize that I have made no objection to any bill that has come up, because I believe if you let a bill come up and it is a bad bill the House will defeat it on its merits; but I do protest against this manner of discussing a bill a half an hour or an hour and then some gentleman saying, "I object." You have had the entire discussion with no benefit to the House, whereas if you permit a bill to come up on its merits and then discuss it, if it is not meritorious the House will refuse to pass it.

Now, one word further: I do not propose to insist on the regular order as each one of these bills is called, but I am calling the attention of the House at this time to the fact that they may take notice that a prolonged discussion of any bill before the question is put as to unanimous consent will not be permitted, but the regular order will be demanded.

Mr. MANN. Mr. Speaker, the Clerk reported the bill H. R. 23470, and thereupon I reserved an objection, and thereupon the

gentleman from Texas [Mr. GARNER], without waiting for anything, demanded the regular order, evidently for the purpose of having the bill brought before the House for consideration or objected to. If no objection was made to the consideration of the bill, and the bill came before the House, it might take all the day under the rules of the House. It is a shorter procedure, as a rule, to reserve an objection until an explanation is made.

Now, this bill is not a local bill; no more important bill has been presented to this House than this bill, and no more drastic legislation has been proposed to this House than is contained in this bill. I should be unwilling to have it pass without some statement, so that Members of the House should not hereafter be permitted to say that this bill with all of its provisions, drastic as they are, passed by unanimous consent and I knew nothing about it. I want an explanation of the bill, so that members are put on notice and know what the bill is when they vote for it. As I say, it is frequently a shorter procedure to reserve an objection.

Mr. GARNER. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. GARNER. If the question was put and unanimous consent given for the consideration of the bill, would it not be opened up by discussion?

Mr. MANN. Yes; and it might take a day.

Mr. GARNER. And if it is as important a bill as the gentleman says it is, why should it not take all day, not only to-day but the next day, to consider important legislation like this?

Mr. MANN. No; it ought not to take all day on unanimous-consent day. If a bill is called up and the bill is found to be so important that it ought to receive full consideration and discussion, objection ought to be made, because it ought not to be taken up on unanimous-consent day.

Mr. GARNER. Then ought not the gentleman from Illinois to make the objection at once? A measure that the gentleman says ought to take more than one day to consider, ought not the objection to be made at once?

Mr. MANN. I have not said that it ought to take more than one day to consider it. I have not said that it ought to take 10 minutes. I should think 10 minutes ought to be enough, and possibly less time to state what every bill is, so that every Member can have brought home to him what it is.

The SPEAKER. The truth about the whole situation is this: There are three processes of getting a bill up which are exceptions to the general rule, and all three are intended to expedite, not to retard, public business. The first one is by unanimous consent, the second is by suspension of the rules, and the third is by a motion to discharge the committee. Evidently the philosophy of it is that bills would be put on the Unanimous Consent Calendar to which there could be no reasonable objection—that is, when Members find out what is in the bill there will be no objection to it. The two-thirds rule takes in a class of bills which are a little more difficult.

The gentleman from Texas [Mr. GARNER] is technically right when he demands the regular order, which means that the Chair should immediately put the question, "Is there objection?" But if that were done, without any chance for explanation, Members would object, as we have already seen them do, to every bill that was called up, and thereby make a farce out of the Unanimous Consent Calendar. Of course, the theory is that every Member understands every bill which comes up here, but that is a very wild presumption. [Laughter.]

When a bill is read the Chair does the best he can to keep order, but frequently there is so much confusion that Members do not know what is in the bill when the Clerk gets through. No Member ought to be refused the privilege of reserving the right to object, but to strike it out would be to the detriment of somebody else.

Some of these bills that are called up by unanimous consent are extremely important bills, and there ought to be a reasonable time allowed upon them. Whenever the Chair thinks a reasonable time has come, he puts the question for unanimous consent. Undoubtedly allowing a reasonable time for inquiries touching the contents of a bill tends to expedite the public business.

As far as Calendar Wednesday is concerned, the Chair is very frank to state publicly what he has stated privately, that he believes that rule ought to be changed and a limit fixed to the time that any gentleman can hold up the House upon that day. [Applause.]

The gentleman from Illinois [Mr. MANN] upon this bill has reserved the right to object, and the Chair is willing to hear him. Is there objection?

Mr. MANN. Mr. Chairman, I have no desire to be heard. I want to hear something about the bill.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I reserve the right to object.

I would like to inquire what the RECORD shows with reference to the status of this bill.

The SPEAKER. The RECORD shows that when the House adjourned upon last unanimous-consent day the bill was in precisely the condition that it is now in. The gentleman from Kentucky [Mr. SHERLEY] reserved the right to object and proceeded to make some remarks, and the gentleman from Illinois [Mr. MANN] then suggested the absence of a quorum, whereupon the gentleman from Alabama [Mr. UNDERWOOD], seeing there was no quorum, moved that the House adjourn, and the House did adjourn.

Mr. ALEXANDER. Mr. Speaker, I will undertake to briefly explain this bill. As has been suggested, it is an important bill, but it is not at all complicated in its provisions. On account of its importance and its far-reaching effect, I hope nobody will object to its consideration, for I do not believe there is any gentleman on this floor who is friendly to the combinations, whether they be domestic or foreign, at which this bill strikes. When the bill was first introduced in the House by the gentleman from Washington [Mr. HUMPHREY] it simply provided that no foreign ship in a combination or pool should be permitted to enter or depart from an American port under the penalties similar to those prescribed in section 2 of the bill. That did not meet the views of the committee. It was then referred to the Department of Justice for consideration and report to the committee. A substitute for the bill was sent to me as chairman of the Committee on the Merchant Marine and Fisheries from the Department of Justice. After consideration that bill did not meet the view of the committee. I then requested the Attorney General to appear before the committee. He kindly did so, and the provisions of the substitute bill were discussed at length. As I stated, the original and the substitute bill were aimed at foreign shipping pools or combinations. The committee suggested that it should apply to domestic as well as foreign combinations. The Attorney General readily yielded to that suggestion. It was also suggested that the law should be so framed that there would be no doubt that the courts, having found that ships were in these unlawful combinations and pools in violation of the terms of the Sherman Antitrust law, should have the authority in the decree to expressly provide that no ship used as an instrument to carry out the unlawful purpose of the combination should be permitted to enter or depart from an American port until the court should find that the combination or pool no longer existed. Also that section 2 should provide that if in the meantime any vessel should enter or depart from an American port, which vessel by the terms of the decree was prohibited from so entering or departing, it should be subject to the penalties prescribed in section 2. The Attorney General concurred in the suggestions of the committee, and sections 1 and 2 were redrafted to conform to that view. The bill further provides that the Postmaster General shall cancel any mail contract which may have been entered into with a company the vessels of which are embraced in the decree of the court and are being operated in violation of law. That is the substance of the bill, and it is simply to make more effective the provisions of the Sherman antitrust law and provide a better remedy for the violation of that law.

Those who have studied the question at all agree that not only the foreign shipping interests are in these pools or combinations, but that our domestic shippers, our coastwise shipping, as far as that is concerned, are all to a more or less extent in these combinations or pools. After full consideration by the committee and after conferences with the Department of Justice, and finally after having had the Attorney General before the committee and having discussed the matter thoroughly, this bill was evolved and has the approval of the Department of Justice.

Mr. HARDY. Mr. Speaker, will the gentleman yield for a suggestion?

Mr. ALEXANDER. Certainly.

Mr. HARDY. I would like to state that it is also the purpose of this bill to make certain the authority of the court to render the decree which the Attorney General said should be asked for in the suits pending against these unlawful combinations, and the Attorney General thought it might be essential to have this bill passed into law in order to efficiently administer the proceedings of the court.

Mr. ALEXANDER. Mr. Speaker, I thank the gentleman for the suggestion. Suits are already pending in the Federal courts in New York the purpose of which is to dissolve these rings or pools or unlawful combinations; and while the Attorney General did not say that the court has no power under the

Sherman antitrust law to enter a decree to the effect that vessels in the pool might not enter or depart from our ports so long as the rings, pools, or unlawful combinations exist, yet we wanted it in the form of express law that it should be a part of the decree of the court. Hence we provide:

That whenever in a proceeding brought under the provisions of the act of July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies," it shall be adjudged that the owners, managers, or operators of any vessel or vessels, whether of the United States or of any foreign country, are engaged in a contract, combination, or conspiracy in restraint of interstate or foreign trade or commerce or are monopolizing or attempting to monopolize any part of such trade or commerce in violation of such act the court may, by its judgment or decree, prohibit all vessels employed pursuant to such contract, combination, or conspiracy, or in such monopolization or attempt to monopolize, from entering at or clearing from any port of the United States, whereupon it shall be unlawful for such vessel or vessels to so enter or clear until the court shall find that such contract, combination, or conspiracy has been canceled, terminated, or dissolved, or such monopolization or attempt to monopolize ended.

In my view, the chief merit of this bill is this, that after it has once been judicially determined that these companies have been in a combination or ring or pool and the court has expressly decreed that the vessels named shall not enter or depart while the combination exists, it throws the burden on the companies to show that the ring, pool, or combination has been dissolved and that the ring, pool, or combination no longer exists, and the burden is not upon the Government, as it would have been in the original bill, to prove it in each case.

Mr. TOWNER. Mr. Speaker, will the gentleman yield?

Mr. ALEXANDER. Certainly.

Mr. TOWNER. I understood the gentleman to say, although I was unable to hear him distinctly, that the bill as it now stands meets with the approval of the Department of Justice.

Mr. ALEXANDER. Yes.

Mr. TOWNER. Is it the opinion of the Department of Justice that the Sherman antitrust law is sufficient to bring these foreign combinations that are now doing this business under its jurisdiction?

Mr. ALEXANDER. Yes.

Mr. TOWNER. I am quite sure that it would be possible to bring them under its jurisdiction, but I am not sure at all that they are now under its jurisdiction.

Mr. ALEXANDER. I will say to the gentleman that the Attorney General has no doubt upon that question. There are two suits now pending, one relating to the Far Eastern trade and one to the north Atlantic trade, involving that question.

Mr. TOWNER. I take it the gentleman assumes or takes for granted the proposition that this foreign shipping can be brought within the jurisdiction of the Sherman antitrust law.

Mr. ALEXANDER. Yes; of course, we have a right under the Constitution, which vests in Congress the power to regulate commerce between the States, and foreign commerce, to legislate on the subject matter, and it is our opinion these vessels that have entered and departed from American ports come under the provisions of that law.

Mr. TOWNER. Well, the difficulty, I suppose, lies with the determination whether or not a trust which was entirely foreign in its makeup and constituent parts could be brought under the jurisdiction of the Sherman antitrust law unless so specifically stated. It seems to me that is rather a serious question and one I have not given sufficient consideration—

Mr. ALEXANDER. The answer of the Shipping Trust is that we can not enforce this law for the reason that 90 per cent of our commerce is carried on foreign ships, and if we should undertake to enforce the provisions of this act we would cut off our means of transportation of our goods in foreign commerce. But the answer to that is that the prosperity of those companies depends upon their commerce with the United States, and we take it that rather than subject themselves to the penalties under this act they will obey the law, otherwise they will be the greater losers, and, next, we are not disposed to yield to any such suggestion as that.

Mr. TOWNER. I would like to ask the gentleman whether it would not be easy to have an amendment to this bill to place them unquestionably and specifically under the terms of the Sherman antitrust law?

Mr. ALEXANDER. Well, we would not care to suggest at this time, with two suits pending in the United States District Court of New York in which demurrers have been overruled, that there is any lack of authority under the Sherman antitrust law to enforce the law against this ship combination.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended so as to read: "A bill to protect American trade and American shipping from domestic and foreign monopolies."

On motion of Mr. ALEXANDER, a motion to reconsider the vote by which the bill was passed was laid on the table.

ENLARGED HOMESTEADS.

The next business on the Calendar for Unanimous Consent was the bill (S. 5428) to amend section 1 of an act entitled "An act to provide for an enlarged homestead," approved February 19, 1909.

The Clerk read as follows:

Be it enacted, etc., That section 1 of the act entitled "An act to provide for an enlarged homestead," approved February 19, 1909, be, and is hereby, amended so as to read as follows:

"SECTION 1. That any person who is a qualified entryman under the homestead laws of the United States may enter, by legal subdivisions, under the provisions of this act, in the States of Arizona, Colorado, Montana, Nevada, New Mexico, North Dakota, Oregon, Utah, Washington, and Wyoming, 320 acres, or less, of nonmineral, nonirrigable, unreserved, and unappropriated surveyed public lands which do not contain merchantable timber, located in a reasonably compact body, and not over 1½ miles in extreme length: *Provided*, That no lands shall be subject to entry under the provisions of this act until such lands shall have been designated by the Secretary of the Interior as not being, in his opinion, susceptible of successful irrigation at a reasonable cost from any known source of water supply.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object—

Mr. BUCHANAN. Mr. Speaker, reserving the right to object—

Mr. MANN. As I understand this bill, while it names a number of States which should have the enlarged-homestead law as the Senate passed it, one is North Dakota, and as the House committee reports it, they have an addition of California.

Mr. RAKER. Yes, sir.

Mr. MANN. What reason is there for extending the enlarged-homestead law to California or North Dakota?

Mr. RAKER. Of course, the gentleman is aware that it applies to Colorado, Montana, Nevada—

Mr. MANN. Yes; to these other States named.

Mr. RAKER. For the same reason that it is necessary to apply it to the other States. There is a large quantity of land in the east and southeast of California where a man has a present homestead, and if he could enter 160 acres and cultivate it or cultivate one-eighth of it and then continue on until he makes final proof, he is in better shape to make a living and provide for his family and himself and build up the country. The reason for North Dakota is specified in Senator GRONNA's letter to the committee in the Senate when it passed the bill.

Mr. MANN. Well, Mr. Speaker, we made the enlarged-homestead law apply first to one or two States, and we have increased it on the theory that there were certain arid lands in the West this side of the Rocky Mountains where it was impossible to do anything without having more than 160 acres. In some places it has been abused and in some places it has been a very beneficial act, but it seems to me we ought to have very full information in regard to it, and there is absolutely no information in regard to it in relation to California.

Mr. RAKER. I want to call attention to the fact that this matter was submitted to the department, and the gentleman will find full information on page 3 of the report. They have gone into the matter thoroughly and reported in favor of this bill. The same circumstances which would call for the application of this extended homestead to Nevada, Colorado, and New Mexico call for it so far as the south and east of California are concerned.

Mr. MANN. How much land is there in California that this bill would apply to if it should be passed?

Mr. RAKER. I should believe possibly half a million acres.

Mr. MANN. That is down in the lowlands of the southeastern part of California?

Mr. RAKER. Along the eastern side of the State, and the southeastern, and such places.

Mr. MANN. Some of it, if we gave 320 acres or 32,200 acres, you could not make a living, and the gentleman does not expect to apply it there with any effect?

Mr. RAKER. Yes; the eastern part of the State, and places like that.

Mr. MANN. The bill ought not to be passed, because it would be a pure confidence game.

Mr. RAKER. In this the gentleman from Illinois is entirely mistaken, and I hope there will be no objections and that the bill with the amendment will pass.

Mr. MONDELL. Will the gentleman from Illinois yield for a moment?

Mr. MANN. Certainly.

Mr. MONDELL. I will say to the gentleman from Illinois I made some inquiry of the Land Office officials with reference to the situation in California with regard to the enlarged

homestead laws. I can say that it is the opinion of the officials charged with the responsibility of administering the homestead laws that there are some areas of land in California in different sections to which the enlarged homestead law might properly be applied. The gentleman recollects that this law does not apply to any lands until the Secretary of the Interior designates them as lands of a character not irrigable at a reasonable cost. It enlarges the homestead area as to certain classes of lands, because on those classes of lands more than 160 acres is necessary, or believed to be necessary, for the support of a family. They must be nonirrigable and nonmineral and not containing merchantable timber. They are either dry lands, where they must practice dry-farming methods, or very rough lands in the hills where but a small portion of the 320 acres can be cultivated and where that area is necessary for a permanent home for the support of a family.

I think there is no question but that in the two States now proposed to be embraced within the provisions of the bill there are considerable areas which the Secretary will probably designate as falling under the provisions of the act.

Mr. MANN. The provision of the law is that "no lands shall be subject to entry under the provisions of this act until such lands shall have been designated by the Secretary of the Interior as not being, in his opinion, susceptible of successful irrigation at a reasonable cost from any known water supply." Of course, if the land is such that it does not require irrigation at all, it still may be taken up under the provisions of this law?

Mr. MONDELL. Yes.

Mr. MANN. There is much land in California that does not require irrigation, where we ought not certainly to give more than 160 acres. Yet under the provisions of this law that land which has a plentiful supply of water fall might be taken up under the provisions of the law in areas of 320 acres.

Mr. MONDELL. I suppose the gentleman is aware of the fact that these entries are limited to lands that do not contain merchantable timber. There are now no lands in the State of California subject to homestead entry, nonirrigable and non-timbered, where the entryman does not require more than 160 acres to care for a family and to make a fair home.

Mr. MANN. I am not aware of that, and, with due respect to the gentleman, I do not think he is aware of it.

Mr. MONDELL. The gentleman thinks he is not aware of it, but if the gentleman had lived as long as I have lived in the West—

Mr. MANN. In California?

Mr. MONDELL. I have not lived in California; but if the gentleman recalled the successive waves of homestead seekers who have gone over that land in the last 40 years he would realize that if there were 160 acres in that territory that was good land it would long since have been taken.

Mr. MANN. There were more acres of land taken up last year than in any year in the history of the country—much of it good, new land.

Mr. CAMPBELL. Mr. Speaker, will the gentleman from California permit a question?

The SPEAKER. Does the gentleman from California yield to the gentleman from Kansas?

Mr. RAKER. I do.

Mr. CAMPBELL. Does this apply to lands in the neighborhood of San Bernardino, Cal.?

Mr. RAKER. If the lands come within the description of the bill, that they are nonmineral and nonirrigable and nontimbered and not appropriated, and, in the opinion of the Secretary of the Interior, not susceptible of irrigation at a reasonable cost.

Mr. CAMPBELL. But the lands in that section of the country are irrigable, and anywhere from 10 to 20 or 30 acres of land makes a ranch upon which men are making a good living.

Mr. RAKER. Oh, no.

Mr. CAMPBELL. Oh, I have been there.

Mr. RAKER. That land could not be entered under this act.

Mr. CAMPBELL. The gentleman said it would apply to land in that neighborhood. If it does apply to it, or if it could be made to apply to it, I would certainly object, because 40 acres would make an ample ranch.

Mr. RAKER. I mean only lands that are designated by the Secretary in San Bernardino County, not in the city. The unoccupied lands in the county are very extensive. Take it up in Mono and Modoc and Lassen and other counties of that character and it would apply and it would be beneficial. This matter was taken up with the Secretary of the Interior, and he makes a report to the effect that the department approves it and sees no objection to it. And it applies in the same way as to Nevada and Oregon and other States adjoining.

Mr. CAMPBELL. I would rather have the gentleman's own opinion in regard to a policy than that of some clerk in a General Land Office or in the Department of the Interior, if he knows about the subject.

Mr. RAKER. I would say to the gentleman that from personal experience I am satisfied that with the restrictions here specified it would be a good thing, because there are many acres of land in that country that would come under private use and taxation if we could add to the holding of a homesteader a sufficient amount to enable him to handle it by virtue of expending the money necessary to put it under successful cultivation.

Mr. CAMPBELL. Well, there are so many people without any sort of homestead that I do not think it is very good policy to enlarge the size of the homestead where it is possible to irrigate and make 10 or 20 or 30 acres a sufficient homestead for anyone.

Mr. RAKER. This does not do that.

Mr. CAMPBELL. Here is a plan to enlarge a homestead to 160 acres.

Mr. GRAHAM. The bill contains the words "or less," and the discretion is given to the Secretary to make it as low as 40 acres.

Mr. CAMPBELL. It can not always be predicted whether land can be irrigated or not. An inspector of the General Land Office might be sent out to inspect a piece of land, a section of country, and he might report back, "No; this can not be irrigated." But some practical engineer could go there and construct an irrigating ditch and irrigate that whole section of country.

Mr. GRAHAM. If the department declares it to be nonirrigable, the chances are that it is nonirrigable. And would it not be better to utilize it now than to wait to see if in the future a spring might break out or some sort of water supply could be found?

Mr. CAMPBELL. Oh, well, there is sufficient water supply out there if engineers can be found to construct irrigating ditches. They are constructing them and extending the irrigable area constantly.

Mr. GRAHAM. This land is above the source of any known water supply.

Mr. FERKIS. Mr. Speaker, I want the gentleman to look at that proviso on page 2:

That no lands shall be subject to entry under the provisions of this act until such lands shall have been designated by the Secretary of the Interior as not being, in his opinion, susceptible of successful irrigation at a reasonable cost from any known source of water supply.

It seems to me that is about as secure as you could possibly make it.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman asks unanimous consent to consider this bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 10, after the word "Arizona," insert the word "California."

The amendment was agreed to.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. RAKER, a motion to reconsider the last vote was laid on the table.

CHEYENNE AND ARAPAHO SCHOOL LANDS, OKLAHOMA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 22647) providing for the sale and entry of certain lands in the State of Oklahoma, and for other purposes.

The bill was read, as follows:

Be it enacted, etc., That the following-described tracts of land within the State of Oklahoma, to wit, the southeast quarter and the south half of the northeast quarter of section 30, the east half of section 31, and section 32, all in township 19 north of range 13 west of the Indian meridian; and the west half of section 5 and the northeast quarter of section 5, and section 6, all in township 18 north of range 13 west of the Indian meridian; and also any other tract or tracts of land within what was formerly the Cheyenne and Arapaho Indian Reservation which heretofore may have been reserved for agency or school purposes which, in the judgment of the Secretary of the Interior, are no longer needed or necessary for the purpose for which said tract or tracts were originally reserved; and said lands shall be opened to entry and settlement and the proceeds thereof disposed of under the conditions, terms, and provisions prescribed in the act approved June 17, 1910, entitled "An act to open to settlement and entry under the general provisions of the homestead laws of the United States certain lands in the State of Oklahoma, and for other purposes."

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I should like to ask the gentleman a question. I notice that the department in reporting upon this bill states that it has authority now to make sale of the land in question. Is that the case?

Mr. MORGAN. Mr. Speaker, in answer to the gentleman's inquiry I will state that I have in my hand a letter from Assistant Secretary Adams, dated May 21, 1912, and addressed to Hon. John H. Stephens, chairman of the Committee on Indian Affairs, which letter is very brief and will probably explain that. He says:

Sir: Referring to the report of the department of May 2 relative to H. R. 22647 providing for the disposition of certain lands embraced within the Cantonment school and agency reserve, Oklahoma, Hon. Dick T. Morgan calls attention to the reference therein to the act of June 17, 1910 (36 Stat. L., 533), and suggests that the act cited does not now afford authority for any disposition of the lands covered by the proposed bill. By reference to the act it appears that Mr. Morgan's contention is correct, and I am so advising your committee in accordance with his request.

Respectfully,

SAMUEL ADAMS,
First Assistant Secretary.

In other words, it was an oversight that this statement was made in the first letter of the Secretary of the Interior, which is printed by the committee in its report.

Mr. MANN. The gentleman means that the department was very careless in making such a statement as that.

Mr. MORGAN. I call it an inadvertence, an oversight.

Mr. MANN. This bill proposes to make a sale of land now occupied for a school, which sale the superintendent of the school did not recommend, and then the bill provides that the proceeds of the sale shall be deposited in the Treasury to the credit of the Indians. Objection has been made by some of the Indians to the sale of the lands. The committee in its report says that that objection is not valid, because the Indians have been paid for the land and have no interest in it. If that is so, why should the proceeds be turned into the Treasury for their benefit?

Mr. STEPHENS of Texas. I will say to the gentleman that it will be a gratuity.

Mr. MORGAN. Mr. Speaker, the Cheyenne and Arapaho Indians occupied something like 2,000,000 acres of land. The Government, in treating with the Indians, allotted 160 acres to each Indian. In that treaty the Indians ceded all their right, title, and interest to lands other than their allotments. Now, there were certain schools, with lands surrounding these schools, which were used for school and agency purposes by the Government. These lands, technically, were ceded to the United States; so that, legally speaking, these Indians have no right, title, or interest in those lands. Heretofore, in opening a small school reservation of this kind, Congress—very wisely, in my opinion—by the act of June 27, 1910, provided that the proceeds of the sale of these lands should be placed in the Treasury of the United States to the credit of the Cheyenne and Arapaho Indians. Now, it is thought that, as a matter of justice and right to these Indians, the proceeds from the sale of these little remnants of land reserved by the President for school purposes ought not to go to the people of the United States, but ought to be preserved for school purposes or some worthy purpose for the benefit of these Indians.

Mr. MANN. If the gentleman will permit me, I call his attention to the report of the committee in this case. Among other things, the report says:

To the letter of the Secretary of the Interior is also attached a letter, signed by the Indians, opposing the disposal of these lands, but the Indians have been misled relative to the land. This is shown in the closing sentence in the petition, which reads as follows: "We understand that when this reserved land is no longer needed for school and agency purposes, the land reverts to the Cheyenne and Arapaho Indians."

That is quoted from the petition of the Indians. Now, the committee goes on to say:

From this statement it appears that the Indians, as well as the superintendent of the school, believe that these lands belong to the Indians. Such, however, is not the case. This is shown by the letter of the Secretary of the Interior, which says "that the territory within which the Cantonment lands are included was ceded to the United States by act of March 3, 1891 (26 Stat. L., 980, 1022), and payment in full therefor was made to the Indians by the United States." In other words, the Indians have ceded all right, title, and interest in these lands. The land belongs entirely and exclusively to the United States and the Indians have no title or claim thereto.

Now, if it be the fact that the Indians have no title or claim to the lands, why should the proceeds go to the credit of the Indians? If it be a fact that the Indians have some legal or moral claim to the land, why should it be disposed of against their protest?

Mr. MORGAN. Mr. Speaker, the committee in their statement had reference, of course, to the naked legal title, which does belong to the United States and not to the Indians. But these Cheyenne and Arapaho Indians are not very far advanced

in civilization and education, and in making this treaty they did dispose of these lands. But it has been the practice in disposing of such lands instead of putting the funds derived from the sale of the lands into the National Treasury for the benefit of all the people of the United States to devote such funds to the education of the Indians. Now, the Indians evidently had a misconception when they stated in their petition that these lands when no longer needed for school purposes will revert to the Indians. Of course, that is not true.

Now, these lands are not needed there—

Mr. MANN. Is it not a fact that the department in making the report on the bill stated that if this money was to be considered as the money of the Indians it ought to be used for school purposes and not deposited in the Treasury as other funds arising from the public sale of lands?

Mr. MORGAN. I will yield to the gentleman from Minnesota [Mr. MILLER] to answer that.

Mr. MILLER. Mr. Speaker, I do not know that I am possessed of any excessive information in regard to this. I have looked it up somewhat, but I am confident from the remarks of the gentleman from Illinois that I know as much as he does about it, and possibly some things that he does not know.

Mr. MANN. If the gentleman knows as much as I do about it, it is strange that he is for the bill. Let us see whether he does or not.

Mr. MILLER. Well, our judgment might lead us to different conclusions. The gentleman from Illinois asked if this land was not the property of the Indians, why we are selling it against their protest, and why there was any desire on the part of the committee that the proceeds should go to the Indian funds. The committee had a clear conception of this situation, and I think when the facts are explained to the gentleman from Illinois he will see the justice of it.

Mr. MANN. Why does not the gentleman state the facts and not give us so much hot air?

Mr. MILLER. I am so accustomed to listening to hot air from the gentleman from Illinois—

Mr. JACKSON rose.

The SPEAKER. To whom does the gentleman yield?

Mr. MANN. I have not the floor.

Mr. MILLER. I have the floor, Mr. Speaker, at present, and I do not propose to be taken off my feet by anybody.

Mr. MANN. Any Member can take the gentleman off the floor if he sees fit.

Mr. MILLER. But you will cut your head off at the same time.

Mr. JACKSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. JACKSON. Is this bill to be objected to?

The SPEAKER. It is still being discussed under the reservation of a right to object.

Mr. JACKSON. I think we have discussed it sufficiently so that any gentleman can tell whether he wants to object or not, and I demand the regular order.

The SPEAKER. The regular order is, Is there objection to the present consideration of this bill?

Mr. MANN. I object.

Mr. MORGAN. I hope the gentleman will not object.

Mr. MANN. It is due to the gentleman from Kansas that objection is made.

Mr. MORGAN. I hope that the gentleman from Kansas will withdraw his demand.

Mr. JACKSON. I think with five distinguished gentlemen on the floor discussing this matter we are not getting very far.

The SPEAKER. Does the gentleman from Kansas withdraw his demand?

Mr. JACKSON. I have nothing to withdraw. If the gentleman from Illinois wants to object it is entirely satisfactory to me.

Mr. MORGAN. I hope the gentleman from Illinois will withdraw his objection.

The SPEAKER. Does the gentleman from Illinois withdraw his objection?

Mr. MANN. The gentleman from Kansas demanded the regular order, which was that we should fish or cut bait, and I did not cut bait. [Laughter.]

RIVER AND HARBOR BILL.

The SPEAKER laid before the House the following communication:

WASHINGTON, D. C., June 1, 1912.

The Hon. CHAMP CLARK,
Speaker of the House of Representatives.

MY DEAR MR. SPEAKER: I hereby resign my position as a member of the conference committee on the river and harbor bill. My reason for this action is that I am obliged to leave Washington for an absence of at least one week, and in all probability for a longer time.

Very respectfully, yours,

GEO. P. LAWRENCE.

The SPEAKER appointed Mr. DAVIDSON, of Wisconsin, as a conferee in place of Mr. LAWRENCE.

NAVAL HISTORY SOCIETY.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 24026) to incorporate the Naval History Society.

The Clerk read the bill, as follows:

Be it enacted, etc., That Charles Francis Adams, of Massachusetts; James Barnes, of New York; Willard H. Brownson, of the District of Columbia; French E. Chadwick, of Rhode Island; William C. Church, of New York; George Dewey, of the District of Columbia; Henry A. du Pont, of Delaware; Loyall Farragut, of New York; Caspar F. Goodrich, of Connecticut; Charles T. Harbeck, of New York; Greenville Kane, of New York; Stephen B. Luce, of Rhode Island; John F. Meigs, of Pennsylvania; Robert W. Neeser, of New York; Herbert L. Satterlee, of New York; Charles H. Stockton, of the District of Columbia; Charles W. Stewart, of the District of Columbia; Robert M. Thompson, of New York; Richard Wainwright, of the District of Columbia; John W. Weeks, of Massachusetts, and their associates and successors, be, and they are hereby, incorporated and made a body politic and corporate in the District of Columbia, by the name of "The Naval History Society"; and by that name may sue or be sued, plead and be impleaded, in any court of law or equity, and may have and use a common seal, and change the same at pleasure, and be entitled to use and exercise all the powers, rights, and privileges incidental to fraternal and benevolent corporations within the District of Columbia.

SEC. 2. That the object of such corporation shall be to discover and procure data, manuscripts, writings, and whatever may relate to naval history, science, and art, and the surroundings and experience of seamen in general and of American seamen in particular, and to preserve same by publication or otherwise; and to acquire, establish, or maintain in the city of Washington or elsewhere, for the use of its members and others, a house or rooms having a library, reading room, and such other appurtenances and belongings as may be desired.

SEC. 3. That said corporation may adopt a constitution and by-laws, and shall have power to amend the same at pleasure: *Provided*, That they do not conflict with the Constitution and laws of the United States.

SEC. 4. That said corporation shall have the right to hold meetings at any place in the United States, but annual meetings for the election of officers shall be held in the city of Washington, where the principal office of said corporation shall be.

SEC. 5. That the said corporation shall have the power to take and hold, by gift, grant, purchase, or devise, real and personal property not exceeding in value \$500,000, which shall not be divided among the members of the corporation, but shall be used and administered as a trust for the purposes of the corporation, and so far as unexpended transmitted to their successors for the further promotion of such purposes.

SEC. 6. That the government of such corporation shall be vested in a board of 11 managers, to be elected by the members of such corporation, and the corporation shall have such officers as it: constitution and by-laws may prescribe. The incorporators herein named, or a majority of them, shall act as the board of managers until their successors in office are chosen at the first meeting of the society after the passage of this act.

SEC. 7. That this charter shall be subject to alteration, amendment, or repeal at the pleasure of the Congress of the United States.

SEC. 8. That this act shall take effect immediately on its passage.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I reserve the right to object.

Mr. SLAYDEN. Mr. Speaker, the purpose of this bill is absolutely and clearly explained in the text and a further and more elaborate explanation is made in the report. In the language of the report:

The purpose of the Naval History Society that it is proposed to incorporate is purely patriotic and entirely national in its scope. The object is to discover and procure data, manuscripts, writings, and whatever there may be relating to naval history, science, and art, and the surroundings and experience of seamen in general, and of American seamen in particular, and to preserve the same by publication or otherwise. There is no thought of private gain, and the bill distinctly provides that the real and personal property received by the society, whether by gift, purchase, or otherwise, shall not be divided among the members of the corporation, but shall be used and administered as a trust for the purposes of the corporation, and so far as unexpended transmitted to their successors for the further promotion of such purposes.

Every patriotic citizen of this country is proud of the achievements of our Navy. There is nothing local or sectional in this pride, for the Navy is as much identified with one section of the country as another, and its achievements in the past are the common heritage of all the people. No State in the Union now has or ever has had a navy of its own. There is and has been but one Navy and that is the American Navy, the common property of all the States and all the people. The Navy is thus essentially national, and any legislation relating to it or affecting it must and should be of national origin.

Mr. Speaker, this bill was introduced by the gentleman from Georgia [Mr. BRANTLEY], and sent to the Committee on the Library. That committee had an elaborate hearing by distinguished gentlemen who are interested in the procuring of data referring to the history and operations of the American Navy, who want to see it properly edited and published.

It seems that up to this time there has been nothing but a voluntary association, limited in the theater of its operations, and not doing completely what these gentlemen who are interested in the preservation of the history of the American Navy thought should be done. They have an opportunity to secure bequests that will make them entirely solvent and enable them to gather data and secure its publication.

The committee was unanimous in its approval of the bill, and I can see no reason why it should not be passed. As to the objection that may be made by some gentlemen that they should have taken a charter from a State, I can only say that

the Navy, by its very nature, does not belong to or appertain to any particular State. We do have volunteer organizations in the event of war from New York, Texas, and other States, but never is that the case in any important operations of the Navy. The Navy is purely national in its scope and nature, and therefore it was believed that there could be no reasonable objection to granting a national charter.

Mr. MANN. I notice that the report says:

Every patriotic citizen of this country is proud of the achievements of our Navy. There is nothing local or sectional in this pride, for the Navy is as much identified with one section of the country as another, and its achievements in the past are the common heritage of all the people.

All of which is true and very well stated. Then, looking at the incorporators, who are 20 in number, we find 8 from New York, 5 from the District of Columbia, 2 from Rhode Island, 1 from Delaware, 1 from Connecticut, and 1 from Pennsylvania, which looks to me quite sectional; not only sectional, but almost centralized in one State. Nearly a majority of these incorporators reside in the city of New York. Now, here you propose to incorporate a national society to inculcate patriotism on the part of the Nation at large, composed of a few very eminent gentlemen located in small sections of the country, mostly in New York City and a few in the District of Columbia. It is no reflection upon New York City to say that there are other parts of the country. I know that it is seldom that persons that reside in New York, and sometimes in districts that are near New York, on the floor, know that there are other portions of the country. [Laughter.]

Mr. TOWNSEND. Mr. Speaker, let me suggest to the gentleman from Illinois that the reason that the proposed incorporators are limited in geographical extent is that they happen to be the gentlemen who compose the voluntary association to carry out in part the purposes of the bill. They were the only ones sufficiently interested to appear before Congress and ask for the incorporation. There will undoubtedly be associate members attached to this body who will represent every great State, including the State of Illinois.

Mr. MANN. I have no doubt that every State in the Union with an hour's notice, could get plenty of gentlemen who would like to be incorporated as a naval history society by the United States Congress.

Mr. TOWNSEND. Not 20 accomplished gentlemen, who are as much interested and who have accomplished as much as these gentlemen have.

Mr. MANN. I do not know how much they have accomplished, but the work for the Navy has not been altogether accomplished by these great States, much as they have done.

Mr. TOWNSEND. Mr. Speaker, I am not referring to military work, but purely historical work.

Mr. MANN. Perhaps they have done more historically than they have in real combat.

Mr. SLAYDEN. Mr. Speaker, I am sure that the membership of the Naval History Society will be expanded just as rapidly as gentlemen who take an interest in it apply for membership. It happens that these gentlemen had organized themselves and had been operating in a voluntary capacity. They now want the privilege of receiving certain bequests that are awaiting them. With that they propose to buy manuscripts and other papers and things of historic interest and value.

Mr. JACKSON. Mr. Speaker, will the gentleman yield for a question?

Mr. SLAYDEN. Yes.

Mr. JACKSON. Does not the gentleman think, in line with what has been suggested by the gentleman from Illinois [Mr. MANN] and others, that if you are going to incorporate a body of this kind you ought to include in it some representative from the Great Lakes, from the Pacific coast, and, inasmuch as the river navigation of the country has had considerable naval history, that some one from the State of Louisiana or the State of Missouri ought to be included in this board which is to compose the charter members of this great society?

Mr. SLAYDEN. Mr. Speaker, the gentleman perhaps knows as well as I do that measures of this kind do not originate with the Members of Congress. The old voluntary Naval History Society was operated at the personal expense of certain gentlemen in private life, who, by reason of former association with the Navy, being perhaps the sons of eminent commanders or related in some other way, had taken an interest in the matter and had undertaken all of the expenses pertaining to the gathering of such data as was necessary for their purposes. They are properly the charter members. I have no sort of doubt they will be glad to take into association with them any creditable, reputable citizen of any part of the country who has an interest in the matter and will help to pay the expenses of the society, but I do not feel authorized to add the name of any man to the list we have here.

Mr. JACKSON. Can not the gentleman tell us why they have not already done so?

Mr. SLAYDEN. Mr. Speaker, I believe the gentleman from Massachusetts [Mr. WEEKS], who is one of the incorporators, may be able to answer that question.

Mr. WEEKS. Mr. Speaker, I see no objection to adding any number of names to the incorporators who appear in this bill. If the gentleman from Kansas [Mr. JACKSON] or the gentleman from Illinois [Mr. MANN] would like to have their names added—

Mr. JACKSON. No; I thought that, inasmuch as these gentlemen seem to have the matter in hand, they certainly had been in conference or communication, perhaps, with certain citizens of different States who would be interested in the subject and they would know who ought to be suggested.

Mr. WEEKS. The gentleman from Kansas knows that somebody has to start associations of this sort; there is now a voluntary organization which is getting together matter which is being printed. The men who appear as the incorporators in this act are among those who have been furnishing the funds to do what has been done up to this time. Of course the membership in this society will be extended, and a general invitation will quite likely be extended to all those who are interested in work of this character to join the society. The idea of any local character being given it is entirely removed from the minds of those gentlemen who appear as incorporators. I would be glad to have the gentleman from Kansas or the gentleman from Illinois join as incorporators of the society.

Mr. GARNER. There is no object, I presume, of laying a foundation for future appropriations by the Government to sustain the library of the society or the society itself?

Mr. WEEKS. Absolutely nothing of the sort.

Mr. TAYLOR of Colorado. I would like to inquire whether or not this is not a rather close corporation which we are giving a national standing, and whether or not there ought not to be a little more liberality as to others getting into it; whether or not there ought not to be, for instance, a provision that the governor of each one of the States shall be an ex officio member, so that this little coterie of distinguished gentlemen could not select for all time who should be a member of the society.

Mr. McCALL. Mr. Speaker, if the gentleman will permit, of course the objection which was made to the place of residence of the incorporators is more apparent in its force than real. This is simply a nucleus, in any event. These gentlemen are simply named, in the first place, to take the incorporation. They will probably enlarge, and may have 500 or 1,000 members.

Mr. TAYLOR of Colorado. These particular gentlemen designated to take this corporation are the individuals who will exclusively determine who hereafter shall belong, are they not?

Mr. McCALL. Yes; but we know from the character of the men that they are broad minded. There is Charles Francis Adams, who is the president of the Massachusetts Historical Society, the oldest and one of the greatest historical societies, with a great membership, and undoubtedly it is the purpose of these gentlemen, if they shall associate themselves together and have an incorporation, to elect associate members, and as they are broad minded I have no doubt they will take their membership from all over the country.

Mr. TAYLOR of Colorado. I trust the gentleman will not assume that I am presuming that they are not broad-minded men. My only doubt was that when we incorporate a national society, we ought not to do it in the way that one may incorporate a little private company in a State.

Mr. McCALL. I fancy none of these gentlemen was present who desires to be named as an incorporator.

Mr. WEEKS. May I add this: Six of these incorporators are retired rear admirals. Half of them are graduates of the Naval Academy, and almost every one of them has been connected with the Navy in some way at some time. That is the reason they are directly interested in this association. It is simply carrying on in this form the work they have been doing in another form, and it is believed that as there is a gift which is likely to come to the society, and others which may come, there should be an incorporation.

Mr. SLAYDEN. I want to suggest to the gentleman from Colorado that it is not the purpose of these gentlemen to limit the membership to themselves.

Mr. WEEKS. Oh, not at all.

Mr. SLAYDEN. They hope to make a large organization.

Mr. TAYLOR of Colorado. Why should there not be an automatic membership of retired naval officers—that is, if they desire to join the society?

Mr. GARNER. But they might not want to put up the necessary money.

Mr. WEEKS. There will be an opportunity given to every reputable man who wishes to come into this association and who will pay the dues which will be imposed to do so.

Mr. TAYLOR of Colorado. I suppose the gentleman is authorized to speak for the others?

Mr. WEEKS. No; I am authorized to speak only for myself.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. SLAYDEN. I yield to the gentleman from Ohio.

Mr. LONGWORTH. Is it not a fact that in almost all of these bills that Congress passes incorporating some society or association that the original number of incorporators is comparatively few?

Mr. SLAYDEN. Necessarily limited—

Mr. LONGWORTH. Necessarily limited in the legislation.

Mr. SLAYDEN. And by all the circumstances.

Mr. LONGWORTH. And I venture to say few bills have been passed containing a list of more than 20 incorporators. Is not that the fact?

Mr. MANN. Most of them contain a great many more.

Mr. SLAYDEN. I have now pending a bill which contains a larger list of charter members, but that has been changed and modified from time to time, chiefly because of the death of some of the proposed incorporators.

Mr. LONGWORTH. At any rate there have been a number of such bills in which the number was very small?

Mr. SLAYDEN. It is necessarily limited, but not for the purpose of restricting membership, which they want to enlarge.

Mr. MANN. As I understand, the purpose of the naval-history society, if incorporated, is to study naval history and publish in regard to naval history; in other words, to largely control naval history, because we all know that history is not a record of things which actually took place, but is a record of what somebody says took place.

Mr. SLAYDEN. If the gentleman is going into the domain of criticism, that is another matter.

Mr. MANN. I would like to ask the gentleman, in view of some incidents of recent history about which there has been a great deal of controversy, whether the corporation the gentleman proposes now is to influence the future history of naval affairs of this country in favor of Schley or Sampson?

Mr. SLAYDEN. Well, Mr. Speaker—

Mr. MANN. I believe that is one of the important things that this corporation will have to deal with, so as to determine what will be the thought 100 years from now—whether it shall be in favor of Schley or Sampson.

Mr. SLAYDEN. Mr. Speaker, if the gentleman had been with the committee when we had hearings he would have realized that a great majority of those gentlemen who appeared will not for any very long time take any particular interest in what happened at Santiago or elsewhere.

Mr. ADAMSON. If the gentleman will permit, I think the high authority to which the case was appealed decided that neither of them was in it; that it was a battle of captains.

Mr. MANN. I shall withdraw my reservation of the right to object because one name on the list of incorporators, the gentleman from Massachusetts [Mr. WEEKS], is sufficient leaven not only to leaven the entire lump but the whole barrel of flour. [Applause.]

The SPEAKER. Is there objection?

Mr. AUSTIN. Mr. Speaker, reserving the right to object; now, there are four States represented by the proposed organization—Massachusetts, New York, Rhode Island, Delaware, and the District of Columbia.

Mr. MANN. And Pennsylvania, five.

Mr. AUSTIN. California also. Not a Southern or Western State, nor a Middle State, nor a State up by the Lakes is represented. If this is to be really national and take in the naval history of the United States, why should not the gentleman agree to an amendment, to which the gentleman from Massachusetts, whose name is here as one of the incorporators, says there is no objection, and enlarge the number?

Mr. SLAYDEN. Does the gentleman want an answer to that?

Mr. AUSTIN. Yes; I want to ask the gentleman in charge of this bill if he will not consent to that?

Mr. SLAYDEN. I will say I do not think there is any man on this floor more jealous of the dignity and the rights and the part played in history by the South than I am, and I have constituents who, I think, may become members of this historical society. But I do not believe it would be agreeable to any one of them for me to undertake to compel their association with those gentlemen who have been in the naval history society.

I do not believe my constituents would like that, and I think on reflection the gentleman will reach the conclusion that the constituents whom he may have in mind would not like it. I have not the slightest doubt that nearly every reputable citizen

who has enough interest in this matter to apply for membership and to pay such dues as may be assessed will be made members of this Naval Historical Society.

Mr. AUSTIN. I understood the gentleman from Massachusetts to state some were there without their knowledge or consent—

Mr. SLAYDEN. I do not think the gentleman stated that, because if he did he is mistaken.

Mr. WEEKS. I did not state that.

Mr. AUSTIN. Have all of these gentlemen been connected with this movement in regard to this organization?

Mr. SLAYDEN. That is my information, and they have been putting up the funds for it.

Mr. WILSON of Pennsylvania. If the gentleman will allow me a suggestion, the incorporation of this society will not give any official status to any statement that may be made by this association.

Mr. SLAYDEN. None whatever.

Mr. WILSON of Pennsylvania. It would be just as acceptable from a historical standpoint if it was made by this association unincorporated as if it was incorporated.

Mr. SLAYDEN. Yes; and that is not the purpose of it. I will say to the gentleman—

Mr. WILSON of Pennsylvania. If the gentleman will permit, I simply wanted to bring out this thought, that the whole purpose of incorporating this society would be to facilitate the management of its affairs and—

Mr. SLAYDEN. To receive bequests and to have means to do its work. A bequest of importance is now waiting on the granting of this charter.

Mr. WILSON of Pennsylvania. It is desired as part of the business handling of its affairs.

Mr. SLAYDEN. Yes.

Mr. TOWNSEND. If the gentleman from Texas will permit, I simply want to add to what the gentleman from Texas has said, that this national incorporation would be an advantage to the society by receiving the benefit of bequests; that I happen to know of a very important historical literary bequest that will be made to the national association, the owner of which would not make it to a State association.

Mr. SLAYDEN. Or a private association.

Mr. TOWNSEND. It is one of the best naval historical collections.

Mr. GARNER. Mr. Speaker, I am sure we have had all the information the House wants in regard to this matter, and I would like to have the regular order.

The SPEAKER. Is there objection?

Mr. AUSTIN. Mr. Speaker, accepting the assurance of the gentleman in charge of this bill that the other sections of this country shall be recognized in this organization, I withdraw the objection.

Mr. SLAYDEN. Mr. Speaker, I take great pleasure in saying that so far as my influence goes I will use it to have the gentleman himself elected.

Mr. AUSTIN. Oh, no; I do not wish to be elected, but I did not want the entire South and West of this country ignored in the organization.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SLAYDEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 323. Joint resolution authorizing Charles F. Riddell, cashier in the office of the Sergeant at Arms of the House of Representatives, to sign all checks, requisitions, and papers in the place of U. S. Jackson, Sergeant at Arms, to obtain money appropriated for the salaries and mileage of Members of the House of Representatives during the temporary disability of the said U. S. Jackson.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 23557) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent children of soldiers and sailors of said war, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. McCUMBER, Mr. BURNHAM, and Mr. SHIVELY as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 23063) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and

sailors of said war, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. McCUMBER, Mr. BURNHAM, and Mr. SHIVELY as the conferees on the part of the Senate.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 4568. An act granting an increase of pension to Annie R. Schley.

CUSTOMS DISTRICT OF PHILADELPHIA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 4011) amending sections 2541 and 2543 of the Revised Statutes of the United States, defining the boundaries of the customs collection districts of Philadelphia, Pa., and Bridgeton, N. J., and establishing ports of entry and sub-ports of entry therein.

The SPEAKER pro tempore (Mr. MARTIN of Colorado). Is there objection?

Mr. BUTLER. Mr. Speaker, I reserve the right to object.

Mr. DALZELL. Mr. Speaker, this bill is on the Union Calendar, and I ask unanimous consent that it be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore. Unanimous consent for consideration of the bill has not yet been obtained.

Mr. GARDNER of New Jersey. Mr. Speaker, I object.

Mr. MOORE of Pennsylvania. I ask the gentleman to reserve his objection.

The SPEAKER pro tempore. Objection is made.

Mr. DALZELL. The gentleman from Pennsylvania [Mr. BUTLER] has not objected. He has reserved his objection.

The SPEAKER pro tempore. The gentleman from New Jersey [Mr. GARDNER] objected.

Mr. MOORE of Pennsylvania. I asked the gentleman from New Jersey to reserve his objection. I would like to know if he yields to that request?

Mr. DALZELL. Does the gentleman from New Jersey object?

Mr. GARDNER of New Jersey. I object.

The SPEAKER pro tempore. The gentleman still objects, and the bill will be stricken from the calendar.

SUBJECTION OF LANDS OF FORT NIOBRARA MILITARY RESERVATION TO HOMESTEAD ENTRY.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 22090) to subject the lands in the former Fort Niobrara Military Reservation and other lands in Nebraska to homestead entry.

The Clerk read the bill, as follows:

Be it enacted, etc., That the unreserved lands within the former Fort Niobrara Military Reservation, in the State of Nebraska, together with the south half of the north half and south half of section 4; the south half of the north half and the south half of section 5; the south half of the northeast quarter, northwest quarter of the northeast quarter, northwest quarter and the south half of section 6; all of sections 7, 8, and 9; south half of section 10; all of sections 15, 17, 18, 19, 20, 21, and 22; north half of section 27; southwest quarter and the north half of section 28; all of sections 29 and 30, all in township 33 north, range 25 west; all of sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 17, and 20 to 29, inclusive, all in township 33 north, range 26 west; the southeast quarter of section 26; south half of the northeast quarter and the south half of section 33 and the south half of the northwest quarter, northeast quarter, and south half of section 34; all of section 35, all in township 34 north, range 26 west, sixth principal meridian, except as hereinafter expressly provided, shall be subject to entry at such time, in such manner, and under such regulations as the Secretary of the Interior may prescribe, as follows: All that portion of said lands lying north and west of the Niobrara River, together with that part of the southeast quarter of section 22, the southwest quarter of section 23, the west half of section 26, and all of section 27, in township 34 north, range 27 west, lying south and east of the said Niobrara River, except such part of the lands south and east of the said river as the Secretary of the Interior may reserve from entry as provided by section 8 hereof, shall be entered and patented under the general provisions of the homestead laws; and all the remaining portion of said lands lying south and east of said Niobrara River shall be entered and patented under the provisions of the act entitled "An act to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska," approved April 28, 1904, but entries made under this act shall not be subject to commutation.

SEC. 2. That lots 1 and 2 and the west half of the southeast quarter and the west half of section 33 and all of section 32, in township 34 north, range 27 west, sixth principal meridian, within said reservation, be, and the same are hereby, granted to the State of Nebraska for use by said State as an agricultural experimental station.

SEC. 3. That the Secretary of the Interior, upon the payment of \$1.25 per acre therefor, shall cause patent to issue to the village of Valentine, in the State of Nebraska, to the east half of section 19; the southwest quarter of the southwest quarter of section 20; the east half and the southwest quarter of section 29; the northwest quarter and the northeast quarter of the southwest quarter of section 30; the northwest quarter of the southwest quarter of said section 30, except that parcel of land in the southwest corner of said northwest quarter of the southwest quarter described as follows: Commencing at the southwest corner of the northwest quarter of the southwest quarter of section 30, running thence north 435.6 feet; thence east 500 feet; thence south

435.6 feet; thence west 500 feet to the place of beginning, all of said lands being in township 34 north, range 27 west, sixth principal meridian.

SEC. 4. That the Secretary of the Interior, upon the payment of \$1.25 per acre therefor, shall cause patent to issue to W. F. Gilman to the parcel of land within said reservation, described as follows: Commencing at the southwest corner of the northwest quarter of the southwest quarter of section 30, township 34 north, range 27, running thence north 435.6 feet; thence east 500 feet; thence south 435.6 feet; thence west 500 feet to the place of beginning.

SEC. 5. That the Secretary of the Interior, upon the payment of \$1.25 per acre therefor, shall cause a patent to issue to Charles H. Cornell for lot 4 in section 22 and lot 1 in section 27, in township 34 north, range 27 west, within said reservation.

SEC. 6. That the Secretary of the Interior shall cause patent to issue to the State of Nebraska for section 9 in exchange for section 36 in township 34 north, range 27, title thereto to be conveyed by Nebraska to the United States, upon the ratification by the State of Nebraska by an act of the legislature to be passed at the next regular session and the consent of W. F. A. Meltendorf, lessee, of said school section 36.

SEC. 7. That said former military reservation lands be, and the same are hereby, exempted from the statutes requiring payment to be made of the appraised value thereof.

SEC. 8. That the Secretary of the Interior is hereby directed to reserve from entry under this act a tract of land not exceeding 640 acres in area, upon which the buildings used in connection with said military reservation are located, and to sell the lands so reserved and the buildings thereon at public auction at not less than their appraised value, after one year from the date of the approval of this act if the Government shall not have appropriated the same to some public purpose.

SEC. 9. That the disposition of said military reservation lands shall be subject to the rights acquired by Charles H. Cornell, by acts of Congress approved June 18, 1906, and February 18, 1911.

SEC. 10. That the costs of carrying out the provisions of this act shall be paid from the appropriation for the expenses of the survey, appraisal, and sale of abandoned military reservations.

Amend the title so as to read: "A bill to subject the lands in the former Fort Niobrara Military Reservation in Nebraska to homestead entry."

Mr. FOSTER. Mr. Speaker, reserving the right to object, I would like to ask the gentleman in charge of this bill or the gentleman from Nebraska, who introduced it, if this does not give to one Charles H. Cornell a water-power site for a mill at \$1.25 an acre against the express statement of the Secretary of the Interior that water-power sites should be reserved?

Mr. KINKAID of Nebraska. Mr. Speaker, answering the question of the gentleman from the State of Illinois [Mr. FOSTER], I am pleased to assure him that the Secretary of the Interior has given his express sanction to the sale of these lands to Charles H. Cornell. I will say further that Charles H. Cornell owns the water-power site, having acquired it under the laws of the State of Nebraska, and owns the land on one side of the river, and he has the material on the ground ready to construct a dam, and he simply wants to abut on the other side of the river. He already has the right to abut on this side of the river, which is Government land, by virtue of an act passed by Congress a session or two back; and the Secretary of the Interior recommends reserving the water-power sites, except such as are provided for in the bill, excluding those and agreeing to this.

Mr. FOSTER. Then there is another water-power site provided for in section 4, is there not?

Mr. KINKAID of Nebraska. That is a mill site.

Mr. MONDELL. I will say to the gentleman from Illinois that a right is reserved to the person named to buy 5 acres of land.

Mr. KINKAID of Nebraska. There is a large flouring mill, which has been in operation for several years—I have forgotten how long—and the mill owner, by a mistake made by a surveyor, abutted his dam against the military reservation land, and it is considered proper to sell to him 5 acres on that side of the little stream that his dam crosses.

Mr. FOSTER. But it does not provide for selling this and giving the present occupant the right to purchase at a fair price, does it?

Mr. KINKAID of Nebraska. The affidavits here show that the land is really worthless. The affidavits show that this land consists of precipices, except where there is room for sand hills. I will read you briefly one affidavit, signed by four affiants who were examined together. They are leading citizens, all of them, and I know them personally right well. They are gentlemen of high standing. They state that the affiants have examined personally these lands described in the bill, and that they are covered with rocky canyons and precipices; that is, these lands that the city wants to buy and the mill owner wants to buy also, and it includes the 5 acres for the mill dam to abut. Affiants state the land is covered with rocky canyons and precipice after precipice, with no grazing ground of any value existing thereon. And further, at the conclusion of the affidavit, it is stated that the land is absolutely worthless for farming purposes; that no crop could ever grow on such land; that it has no hay growing on it, and no amount of grass sufficient for stock grazing.

Mr. FOSTER. In section 2 it is proposed to give to the State of Nebraska some of this land as a site for an agricul-

tural experiment station, so that by the time we get through with this, the Government will be expected to make up the difference of these lands.

I observe also in section 7 that the gentleman proposes that this land which is to be opened for settlement shall be exempted from the statute requiring payment to be made of the appraised value thereof. So that it seems to me that the gentleman has in this bill evidently taken good care of the State of Nebraska, on which I compliment him as a wise and careful Representative. But it seems to me that the National Government in all this is to get the little end of the horn, as it is called, and that there will be nothing left by the time that the State of Nebraska and other parties take the water-power sites, and the part that goes to the State of Nebraska, and so on. So, Mr. Speaker, I think that this bill ought to go back to the Committee on Public Lands and be reconstructed.

Mr. KINKAID of Nebraska. Just a moment. I guess the gentleman is not going to object.

The SPEAKER pro tempore. Does the gentleman from Illinois reserve the right to object?

Mr. FOSTER. I reserve the right to object.

Mr. KINKAID of Nebraska. Mr. Speaker, I thank the gentleman from Illinois [Mr. FOSTER] for all the compliments he has expressed, which are undeserved. The provisions of this bill taking care of the State of Nebraska and exempting specifically the lands from sale at the appraised value are well fortified by precedent. Where lands of an abandoned military reservation are of a very poor quality and are such that ordinarily homesteaders will not enter them and you have got, instead of leaving them subject to entry in quarter-section amounts, to increase them fourfold and make them one section, it is evident that the lands should not be disposed of as existing law provides.

And it has been the practice to exempt from appraised value lands of a very poor quality, and that has been done in two or three instances in the district which I have the honor to represent, namely, as to Fort McPherson and also as to Camp Sheridan. Homesteaders did not succeed in perfecting their entries, broke down, were unable to pay the appraised value, and they relinquished and kept on relinquishing. A successor would come in and make an entry and then relinquish again, so that finally an act was passed exempting these lands from payment of the appraised value.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

Mr. KINKAID of Nebraska. Certainly.

Mr. MANN. Under the existing law can not this land be disposed of by sale as an abandoned military reservation?

Mr. KINKAID of Nebraska. There are some other lands which are not on the military reservation. The lands on the military reservation are less than a township in extent, and those lands can be sold under what I would now call an obsolete statute.

Mr. MANN. The statute is not obsolete, although the practice of really selling any Government land may be obsolete as long as gentlemen are so insistent that the land shall be given away to their constituents. But is not this the fact, that under the existing law this land can be sold to people who are willing to buy it? Under this bill the land will be given away and people will not have to pay for it. Is not that the distinction between the bill and the law?

Mr. FOSTER. That is the effect of this bill.

Mr. GARNER. It is evident that the gentleman from Nebraska realizes—

Mr. RAKER. Will the gentleman from Texas allow the gentleman from Nebraska to finish his explanation?

Mr. GARNER. I might allow the gentleman to stand here and talk for two hours, or he may extend his remarks in the Record, but the gentleman from Illinois [Mr. FOSTER] has given notice that he is going to object.

Mr. KINKAID of Nebraska. I do not think the gentleman is serious in that.

Mr. GARNER. May I ask the gentleman from Illinois [Mr. FOSTER] if he is going to object?

The SPEAKER. Is there objection?

Mr. FOSTER. I object, Mr. Speaker.

The SPEAKER. The gentleman from Illinois [Mr. FOSTER] objects. The bill goes off the calendar.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. FITZGERALD, from the Committee on Appropriations, reported a bill (H. R. 25069) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1913, and for other purposes, which was read a first and second time, referred to the Committee of the Whole House

on the state of the Union, and, with the accompanying report (No. 826), ordered to be printed.

Mr. MANN. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Illinois [Mr. MANN] reserves points of order.

Mr. FITZGERALD. Mr. Speaker, I wish to give notice that I will call the bill up for consideration to-morrow morning.

Mr. MANN. At what time to-morrow?

Mr. FITZGERALD. Immediately after the reading of the Journal.

Mr. MANN. We may have some unfinished business to-morrow, perhaps.

INTERNATIONAL CONGRESS ON HYGIENE AND DEMOGRAPHY.

The next business on the Calendar for Unanimous Consent was Senate joint resolution 97, authorizing the Fifteenth International Congress on Hygiene and Demography to occupy temporary structures erected by the American Red Cross and to erect temporary structures in Potomac Park, Washington, D. C. The joint resolution was read, as follows:

Resolved, etc., That the American Red Cross is hereby given permission to allow the temporary structure erected by it in Potomac Park, under the provisions of the joint resolution approved May 11, 1911, to remain in position for a sufficient length of time to be used for exhibition purposes by the Fifteenth International Congress on Hygiene and Demography at its meeting in 1912, and that authority is hereby given to the Chief of Engineers, United States Army, to grant permission to the responsible officers of the Fifteenth International Congress on Hygiene and Demography to erect on the public grounds, on a site to be approved by the Chief of Engineers, such additional temporary structures as may be necessary for exhibition purposes: *Provided*, That the United States shall be put to no extra expense of any kind thereby, and that all the structures shall be promptly removed by the Fifteenth International Congress on Hygiene and Demography at the close of the meeting and the site cleared of all debris and put in as good condition as before the erection of the structures.

The SPEAKER. Is there objection?

Mr. FITZGERALD. Mr. Speaker, I reserve the right to object. I wish to call the attention of gentlemen to the situation created by this bill.

By resolution of Congress the Red Cross Society was authorized to erect some temporary structures on one of the public reservations in the District of Columbia upon condition that they should be removed and the grounds restored to their original condition without expense to the United States.

This resolution apparently relieves the Red Cross Society from that obligation and devolves it upon the Congress on Hygiene and Demography. They have estimated that \$12,000 will be required to do that work. They expect to raise \$40,000 by subscription, and they hope to get Congress to give them \$51,000, in addition to the \$60,000 that they have already had, to make this congress a success. In the present shape of this resolution Congress will practically be paying for the removal of these structures and the restoring of the grounds to their original condition.

Mr. MANN. Mr. Speaker, if the gentleman will yield, I hardly think this resolution if passed would relieve the Red Cross from anything. It would impose the obligation additionally upon the Congress on Hygiene and Demography.

Mr. FITZGERALD. I am not so sure that it does not relieve the Red Cross.

Mr. MANN. I think not. They have given bond, as I understand it, to remove these buildings.

Mr. FITZGERALD. What would be the effect of this resolution, which turns these buildings over to this Congress and provides that they shall be removed at the expense of this Congress? As nearly as I can ascertain from the investigation I have given—

Mr. MANN. Here is a law permitting the Red Cross to erect buildings and requiring the Red Cross to remove those buildings, under bond, as I recall it. That removal is to be at the close of the Red Cross meeting here.

Mr. FITZGERALD. No.

Mr. MANN. Yes. Now, here is a permission proposed to be given to the Red Cross to permit the Congress on Hygiene and Demography to use these buildings instead of removing them at the time originally contemplated. As a part of the provision the Congress on Hygiene and Demography is required to remove the buildings. But the Red Cross is obligated under the original provision to see that those buildings are removed and the grounds replaced in good order in any event. I do not think they are relieved by this.

Mr. AUSTIN. There is a provision here—

Mr. MANN. Now, here is the situation in regard to it. We have unfortunately gotten in the habit of giving easy invitations to people to come to Washington and meet. One of these invitations was given for this Congress on Hygiene and Demography, originally provided for the year 1908, I believe. It was

extended afterwards by permission of Congress. There is absolutely no place in Washington for such a congress to meet. No such congress ought ever to be invited by this Congress to meet in Washington. They ought to meet in some other American city, where they have facilities for taking care of such a congress. This is an international congress. It probably will be as large as the tuberculosis congress was several years ago, with four or five thousand members.

When the tuberculosis congress met there was great demand for the use of this Capitol and the House Office Building.

The House very generously shifted the burden of objecting to that on my shoulders. Fortunately my shoulders were able to stand up under it. We happen to have a National Museum Building, and we gave \$40,000 for the purpose of putting it in shape for that tuberculosis congress. Of course, if we do not allow these buildings of the Red Cross to be used in the end we will build some buildings for them.

Mr. FITZGERALD. Mr. Speaker, there are some other features in regard to this Congress on Hygiene and Demography that make me somewhat suspicious of their intention and ability to remove these buildings. As the gentleman said, this Congress was authorized to be held in 1908 or 1909. Congress appropriated \$10,000 to pay the preliminary expenses of it. Then it was postponed, and Congress appropriated \$10,000 additional to pay for the preliminary expenses, and in the diplomatic and consular appropriation bill that passed this year there was \$40,000 additional placed at the disposal of the State Department to pay expenses in connection with this congress. An estimate of \$51,000 was submitted for some other purposes connected with the congress.

I was curious as to what had been done with the \$20,000 appropriated for the preliminary expenses. I ascertained that a secretary had been appointed at a salary of \$5,000 a year, and had drawn three years' salary, amounting to \$15,000, out of the \$20,000, and had made one trip, at least, to Europe, at the expense of the Government out of the \$20,000; so that more than \$15,000, as I recollect, of the \$20,000 appropriated for the preliminary expenses of preparing for this congress has been turned over to one gentleman, who has been at various times secretary to one kind of congress or another. I think he was secretary to the tuberculosis congress. I am not sure whether he calls himself a hygienist or a demographer, but one or the other.

Mr. MANN. Is it Dr. Fulton?

Mr. FITZGERALD. I think it is Dr. Fulton who is the secretary of this outfit. He has drawn about \$16,000 out of the \$20,000 appropriated for the preliminary expenses—\$15,000 in salary and the balance in expenses. Congress never dreamed that it was creating anything so "soft" when it appropriated this money for these so-called preliminary expenses. I do not care whether it is Dr. Fulton or Dr. anybody else; whoever is responsible for that situation has been guilty, in my opinion, of gross impropriety in the administration of public funds.

Mr. MANN. Mr. Speaker, if the gentleman will yield, I have met Dr. Fulton several times. I think he is secretary of this association. I know I met him in connection with the tuberculosis congress, and in connection with the extension of the meeting of this congress for hygiene and demography. In fact, I got myself considerably disliked one time by Dr. Fulton and some other members of the tuberculosis congress because I would not consent to their using the House Office Building or the Capitol Building for a meeting. But, after all, Dr. Fulton is a very competent man.

Mr. FITZGERALD. I should hope so.

Mr. MANN. Five thousand dollars a year is not an exorbitant salary for a competent man. This work requires his entire time. Dr. Fulton is organizing this congress, an international congress of hygiene and demography, one of the most important subjects which concerns the human race to-day. It concerns matters that receive the greatest attention and the ones that receive the most consideration to-day, and the organization of this congress is no slight matter. The tuberculosis congress that was held here, which gentlemen who attended it will realize, was an enormous affair and productive of immense good. For the first time in many years we are beginning to see the tide of tuberculosis on the ebb. The movement is going the other way; we are overcoming the growth and increase of tuberculosis. The congress of hygiene and demography is along the same lines, and to organize it requires great attention.

Now, the gentleman says that the secretary received this fund. The fund donated by the Government is not the only fund that is used; there has been a considerable sum of money raised by private means and by societies.

Mr. FITZGERALD. For this particular congress it is hoped to obtain \$40,000 by private subscription. We have already appropriated \$80,000.

Mr. MANN. It is hoped to obtain \$40,000 by private subscription, but the gentleman will remember that a large sum of money is raised for its use by different societies throughout the country which is not expended here, but through the organization a much larger sum than \$40,000 is raised. Now, I have no doubt it is true—because the gentleman from New York would not make the statement unless he knew it to be true—that the secretary has received the appropriation which the Government made, but other moneys have been paid out of private funds.

Mr. GARNER. Mr. Speaker, may I suggest that one reason that this secretary's salary has been so great is that the appropriation of \$10,000 was made with the expectation that the next congress would assemble in 1908, but instead of that it was postponed; and at the next session we appropriated another \$10,000 for preliminary work, and it was the distinct understanding, my recollection is, that the total limit should be \$40,000, and the House Committee on Foreign Affairs carried that limit out, but an additional amount was placed on it in the Senate, and the House agreed to the conference report, which carried a larger amount than the original understanding.

Mr. FITZGERALD. My recollection is that the diplomatic bill this year carried altogether about \$40,000 for this purpose.

Mr. MANN. It carried \$10,000 in the House, and was increased to forty or fifty thousand dollars in the Senate, and, I suppose, compromised in conference. I was not here when the conference report was agreed to.

Mr. FITZGERALD. That makes \$50,000, and the request is now made for \$5,000 additional. My understanding of the original appropriation for preliminary expenses was not to employ a high-priced secretary, but to pay for clerical assistance required in the Department of State in sending out invitations, which are sent out pursuant to the proclamation issued by the President.

Mr. MANN. But this is a matter of great organization.

Mr. FITZGERALD. Oh, I understand. I have learned a great deal about it since I have undertaken this investigation, and I am quite sure that nobody ever anticipated that out of the \$20,000 appropriated for preliminary expenses some one was to be paid \$15,000 in salary.

Mr. CARLIN. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Virginia demands the regular order. Is there objection to the present consideration of the joint resolution?

Mr. FITZGERALD. Mr. Speaker, reserving the right to object, I wish to inquire of the gentleman from Illinois whether in his opinion this resolution makes obligatory on this Congress alone the removal of these buildings?

Mr. MANN. I was going to suggest to the gentleman from New York that if there be any question about that, why we should not provide that these buildings shall be removed by the American Red Cross instead of by this society, keeping the present obligation in force?

Mr. BARNHART. That is all right.

Mr. FITZGERALD. I have no objection to that.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This resolution is on the Union Calendar.

Mr. AUSTIN. Mr. Speaker, I ask unanimous consent that the resolution be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, the resolution has been read, and I move to amend, on page 2, lines 8 and 9, by striking out the words "Fifteenth International Congress of Hygiene and Demography" and inserting in lieu thereof the words "American Red Cross."

The SPEAKER. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, lines 8 and 9, strike out the words "Fifteenth International Congress of Hygiene and Demography" and insert in lieu thereof the words "American Red Cross."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate joint resolution as amended.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. AUSTIN, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

RADIO COMMUNICATION.

The next business on the Calendar for Unanimous Consent was the bill H. R. 15357, to regulate radio communication.

The Clerk proceeded to report the bill.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent that the bill S. 6412, to regulate radio communication, may be substituted for the House bill.

The SPEAKER. The gentleman from Missouri asks unanimous consent that a Senate bill of like tenor be substituted for the House bill. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I will ask the gentleman from Missouri where the Senate bill is?

Mr. ALEXANDER. It is on the table.

Mr. MANN. Has it been referred to a committee?

Mr. ALEXANDER. It has; and it has been reported back. It is in substance the same bill.

Mr. MANN. It is House Calendar 243.

Mr. ALEXANDER. I will state for the benefit of the House that Senate bill 6412 is the same as H. R. 15357, with the exception of three or four minor amendments. For that reason I ask unanimous consent that it be substituted for the House bill.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Mr. Speaker, the House bill is on the House Calendar. Has it been transferred from the Union Calendar? It is printed as being on the Union Calendar No. 193. It seems to be on the House Calendar with the same number, 193. It would be very odd that it would have the same number, having been transferred from one calendar to the other.

The SPEAKER. The Clerk at the desk informs the Chair that the bill was transferred from the Union to the House Calendar.

Mr. MANN. It is No. 193 on the House Calendar and the same number on the Union Calendar.

Mr. BUTLER. Mr. Speaker, reserving the right to object to the request of the gentleman from Missouri—I do not happen to have a copy of the Senate bill here, but have a copy of the House bill. I could not hear what the gentleman said a moment ago concerning the difference between the Senate bill and the House bill.

Mr. ALEXANDER. Mr. Speaker, as the Clerk reads, the gentleman will find that there is no material difference between the two bills.

Mr. BUTLER. But I do not happen to have a Senate bill here.

Mr. ALEXANDER. Has the gentleman a copy of the House bill?

Mr. BUTLER. Yes.

Mr. ALEXANDER. Very well; he can follow the reading with the House bill and he will see that it is to all intents and purposes the same as the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri that the Senate bill of like tenor, 6412, be substituted for the House bill?

Mr. MANN. That does not affect the right of objection?

The SPEAKER. No; that will not interfere with the right of objection to the Senate bill. [After a pause.] The Chair hears none, and the Clerk will report the Senate bill.

The Clerk read as follows:

An act (S. 6412) to regulate radio communication.

Be it enacted, etc., That a person, company, or corporation within the jurisdiction of the United States shall not use or operate any apparatus for radio communication as a means of commercial intercourse among the several States, or with foreign nations, or upon any vessel of the United States engaged in interstate or foreign commerce, or for the receipt or transmission of radiograms or signals the effect of which extends beyond the exclusive jurisdiction of the State or Territory in which the same are made, or where interference would be caused thereby with the receipt of messages or signals from beyond the jurisdiction of the said State or Territory, except under and in accordance with a license, revocable for cause, in that behalf granted by the Secretary of Commerce and Labor upon application therefor; but nothing in this act shall be construed to apply to the transmission and exchange of radiograms or signals between points situated in the same State: *Provided*, That the effect thereof shall not extend beyond the jurisdiction of the said State or interfere with the reception of radiograms or signals from beyond said jurisdiction; and a license shall not be required for the transmission or exchange of radiograms or signals by or on behalf of the Government of the United States, but every Government station on land or sea shall have special call letters designated and published in the list of radio stations of the United States by the Department of Commerce and Labor. Any person, company, or corporation that shall use or operate any apparatus for radio communication in violation of this section, or knowingly aid or abet another person, company, or corporation in so doing, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding \$500, and the apparatus or device so unlawfully used and operated may be adjudged forfeited to the United States.

SEC. 2. That every such license shall be in such form as the Secretary of Commerce and Labor shall determine and shall contain the

restrictions, pursuant to this act, on and subject to which the license is granted; that every such license shall be issued only to citizens of the United States or to a company incorporated under the laws of some State of the United States and shall specify the ownership and location of the station in which said apparatus shall be used and other particulars for its identification and to enable its range to be estimated; shall state the purpose of the station and in case of a station in actual operation at the date of passage of this act shall contain the statement that satisfactory proof has been furnished that it was actually operating on the above-mentioned date; shall state the wave length or the wave lengths authorized for use by the station for the prevention of interference and the hours for which the station is licensed for work; and shall not be construed to authorize the use of any apparatus for radio communication in any other station than that specified. Every such license shall be subject to the regulations contained herein and such regulations as may be established from time to time by authority of this act or subsequent acts and treaties of the United States. Every such license shall provide that the President of the United States in time of war or public peril may cause the closing of any station for radio communication and the removal therefrom of all radio apparatus, or may authorize the use or control of any such station or apparatus by any department of the Government, upon just compensation to the owners.

SEC. 3. That every such apparatus shall at all times while in use and operation as aforesaid be in charge or under the supervision of a person or persons licensed for that purpose by the Secretary of Commerce and Labor. Every person so licensed for the operation of any radio apparatus on shore shall be a citizen of the United States. Every person so licensed who in the operation of any radio apparatus shall fail to observe and obey regulations contained in or made pursuant to this act or subsequent acts or treaties of the United States, or any one of them, in addition to the punishments and penalties herein prescribed, upon conviction shall suffer the suspension of the said license, and the same shall not be renewed for a period of one year from and after the date of his conviction of any such failure. It shall be unlawful to employ any unlicensed person or for any unlicensed person to serve in charge of the use and operation of such apparatus, and any person violating this provision shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than \$100 or imprisonment for not more than two months, or both, in the discretion of the court, for each and every such offense: *Provided*, That in case of emergency the Secretary of Commerce and Labor may authorize a collector of customs to issue a temporary permit in lieu of a license to the operator on a vessel subject to the radio ship act of June 24, 1910.

SEC. 4. That for the purpose of preventing or minimizing interference with communication between stations in which such apparatus is operated, to facilitate radio communication, and to further the prompt receipt of distress signals, said private and commercial stations shall be subject to the regulations of this section. These regulations shall be enforced by the Secretary of Commerce and Labor through the collectors of customs and other officers of the Government as other regulations herein provided for.

The Secretary of Commerce and Labor may, in his discretion, waive the provisions of any or all of these regulations when no interference of the character above mentioned can ensue.

The Secretary of Commerce and Labor may grant special temporary licenses to stations actually engaged in conducting experiments for the development of the science of radio communication, or the apparatus pertaining thereto, to carry on special tests, using any amount of power or any wave lengths, at such hours and under such conditions as will insure the least interference with the sending or receipt of commercial or Government radiograms, of distress signals and radiograms, or with the work of other stations.

In these regulations the naval and military stations shall be understood to be stations on land.

REGULATIONS.

NORMAL WAVE LENGTH.

First. Every station shall be required to designate a certain definite wave length as the normal sending and receiving wave length of the station. This wave length shall not exceed 600 meters or it shall exceed 1,600 meters. Every coastal station open to general public service shall at all times be ready to receive messages of such wave lengths as are required by the Berlin convention.

OTHER WAVE LENGTHS.

Second. In addition to the normal sending wave length all stations, except as provided hereinafter in these regulations, may use other sending wave lengths: *Provided*, That they do not exceed 600 meters or that they do exceed 1,600 meters: *Provided further*, That the character of the waves emitted conforms to the requirements of regulations third and fourth following.

USE OF A "PURE WAVE."

Third. At all stations if the sending apparatus, to be referred to hereinafter as the "transmitter," is of such a character that the energy is radiated in two or more wave lengths, more or less sharply defined, as indicated by a sensitive wave meter, the energy in no one of the lesser waves shall exceed 10 per cent of that in the greatest.

USE OF A "SHARP WAVE."

Fourth. At all stations the logarithmic decrement per complete oscillation in the wave trains emitted by the transmitter shall not exceed two-tenths, except when sending distress signals or signals and messages relating thereto.

USE OF "STANDARD DISTRESS WAVE."

Fifth. For the purpose of sending signals of distress every station on shipboard shall be so adjusted, except on vessels of small tonnage unable to have plants insuring that wave length, as to permit these signals to be sent with a wave length of approximately 300 meters.

SIGNAL OF DISTRESS.

Sixth. The distress call used shall be the international signal of distress.

USE OF "BROAD INTERFERING WAVE" FOR DISTRESS SIGNALS.

Seventh. When sending distress signals the transmitter of a station on shipboard may be tuned in such a manner as to create a maximum of interference with a maximum of radiation.

DISTANCE REQUIREMENT FOR DISTRESS SIGNALS.

Eighth. Every station on shipboard, wherever practicable, shall be prepared to send distress signals of the character specified in regulations 5 and 6 with sufficient power to enable them to be received by

day over sea a distance of 100 nautical miles by a shipboard station equipped with apparatus for both sending and receiving equal in all essential particulars to that of the station first mentioned.

"RIGHT OF WAY" FOR DISTRESS SIGNALS.

Ninth. All stations are required to give absolute priority to signals and radiograms relating to ships in distress; to cease all sending on hearing a distress signal; and, except when engaged in answering or aiding the ship in distress, to refrain from sending until all signals and radiograms relating thereto are completed.

REDUCED POWER FOR SHIPS NEAR A GOVERNMENT STATION.

Tenth. No station on shipboard, when within 15 nautical miles of a naval or military station, shall use a transformer input exceeding 1 kilowatt, nor, when within 5 nautical miles of such a station, a transformer input exceeding one-half kilowatt, except for sending signals of distress or signals or radiograms relating thereto.

INTERCOMMUNICATION.

Eleventh. Each shore station open to general public service between the coast and vessels at sea shall be bound to exchange radiograms with any similar shore station and with any ship station without distinction of the radio systems adopted by such stations, respectively, and each station on shipboard shall be bound to exchange radiograms with any other station on shipboard without distinction of the radio systems adopted by each station, respectively.

DIVISION OF TIME.

Twelfth. At important seaports and at all other places where naval or military or private or commercial shore stations operate in such close proximity that interference with the work of naval and military stations can not be avoided by the enforcement of the regulations contained in the foregoing regulations concerning wave lengths and character of signals emitted, such private or commercial shore stations as do interfere with the reception of signals by the naval and military stations concerned shall not use their transmitters during the first 15 minutes of each hour, local standard time. The Secretary of Commerce and Labor may, on the recommendation of the department concerned, designate the station or stations which may be required to observe this division of time.

GOVERNMENT STATIONS TO OBSERVE DIVISIONS OF TIME.

Thirteenth. The naval or military stations for which the above-mentioned division of time may be established shall transmit signals or radiograms only during the first 15 minutes of each hour, local standard time, except in case of signals or radiograms relating to vessels in distress, as hereinbefore provided.

USE OF UNNECESSARY POWER.

Fourteenth. In all circumstances, except in case of signals or radiograms relating to vessels in distress, all stations shall use the minimum amount of energy necessary to carry out any communication desired.

GENERAL RESTRICTIONS ON PRIVATE STATIONS.

Fifteenth. No private or commercial station not engaged in the transaction of bona fide commercial business by radio communication or in experimentation in connection with the development and manufacture of radio apparatus for commercial purposes at the date of passage of this act, shall use a transmitting wave length exceeding 200 meters, or a transformer input exceeding 1 kilowatt, except by special authority of the Secretary of Commerce and Labor contained in the license of the station.

SPECIAL RESTRICTIONS IN THE VICINITIES OF GOVERNMENT STATIONS.

Sixteenth. No station of the character mentioned in regulation 15 situated within 5 nautical miles of a naval or military station shall use a transmitting wave length exceeding 200 meters or a transformer input exceeding one-half kilowatt.

SHIP STATIONS TO COMMUNICATE WITH NEAREST SHORE STATION.

Seventeenth. In general, the shipboard stations shall transmit their radiograms to the nearest shore station. A sender on board a vessel shall, however, have the right to designate the shore station through which he desires to have his radiograms transmitted. The station on shipboard shall then wait until such shore station shall be the nearest. If this can not be done, the wishes of the sender are to be complied with only if the transmission can be effected without interfering with the service of other stations.

LIMITATIONS FOR FUTURE INSTALLATIONS IN VICINITIES OF GOVERNMENT STATIONS.

Eighteenth. No station on shore not in actual operation at the date of the passage of this act shall be licensed for the transaction of commercial business by radio communication within 15 nautical miles of the following naval or military stations, to wit: Arlington, Va.; Key West, Fla.; San Juan, P. R.; North Head and Tatoosh Island, Wash.; San Diego, Cal.; and those established or which may be established in Alaska and in the Canal Zone; and the head of the department having control of such Government stations shall, so far as is consistent with the transaction of governmental business, arrange for the transmission and receipt of commercial radiograms under the provisions of the Berlin convention of 1906 and future international conventions or treaties to which the United States may be a party, at each of the stations above referred to, and shall fix the rates therefor, subject to the control of such rates by Congress. At such stations and wherever and whenever shore stations open for general public business between the coast and vessels at sea under the provisions of the Berlin convention of 1906 and future international conventions and treaties to which the United States may be a party, shall not be so established as to insure a constant service, day and night, without interruption, and in all localities wherever or whenever such service shall not be maintained by a commercial shore station within 100 nautical miles of a naval radio station the Secretary of the Navy shall, so far as is consistent with the transaction of governmental business, open naval radio stations to the general public business described above, and shall fix rates for such service, subject to control of such rates by Congress. The receipts from such radiograms shall be covered into the Treasury as miscellaneous receipts.

SECRECY OF MESSAGES.

Nineteenth. Every operator shall be obligated in his license to preserve, and shall preserve faithfully, the secrecy of radiograms which he may receive or transmit; and for failure to preserve such secrecy his license may be revoked by the Secretary of Commerce and Labor.

PENALTIES.

For violation of any of these regulations, subject to which a license under sections 1 and 2 of this act may be issued, the owner of the apparatus shall be liable to a penalty of \$100, which may be reduced or remitted by the Secretary of Commerce and Labor, and for repeated violations of any of such regulations, which shall be deemed a misdemeanor, the license may be revoked.

For violation of any of these regulations, subject to which a license under section 3 of this act may be issued, the operator shall be subject to a penalty of \$25, which may be reduced or remitted by the Secretary of Commerce and Labor, and for repeated violations of any such regulations, which shall be deemed a misdemeanor, the license may be suspended.

SEC. 5. That every license granted under the provisions of this act for the operation or use of apparatus for radio communication shall prescribe that the operator thereof shall not willfully or maliciously interfere with any other radio communication. Such interference shall be deemed a misdemeanor, and upon conviction thereof the owner or operator, or both, shall be punishable by a fine of not to exceed \$500 or imprisonment for not to exceed one year, or both.

SEC. 6. That the expression "radio communication" as used in this act means any system of electrical communication by telegraphy or telephony without the aid of any wire connecting the points from and at which the radiograms, signals, or other communications are sent or received.

SEC. 7. That a person, company, or corporation within the jurisdiction of the United States shall not knowingly utter or transmit, or cause to be uttered or transmitted, any false or fraudulent distress signal or call or false or fraudulent signal, call, or radiogram of any kind. The penalty for so uttering or transmitting a false or fraudulent distress signal or call shall be a fine of not more than \$2,500 or imprisonment for not more than five years, or both, in the discretion of the court, for each and every such offense, and the penalty for so uttering or transmitting, or causing to be uttered or transmitted, any other false or fraudulent signal, call, or radiogram shall be a fine of not more than \$1,000 or imprisonment for not more than two years, or both, in the discretion of the court, for each and every such offense.

SEC. 8. That a person, company, or corporation shall not use or operate any apparatus for radio communication on a foreign ship in territorial waters of the United States otherwise than in accordance with the provisions of sections 4 and 7 of this act and so much of section 5 as imposes a penalty for interference. Save as aforesaid, nothing in this act shall apply to apparatus for radio communication on any foreign ship.

SEC. 9. That the trial of any offense under this act shall be in the district in which it is committed or in any district in which the offender may be found, or if the offense is committed upon the high seas or out of the jurisdiction of any particular State or district the trial shall be in the district where the offender may be found or into which he shall be first brought.

SEC. 10. That this act shall take effect and be in force on and after 90 days from its passage.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman a question.

Mr. ALEXANDER. Very well.

Mr. MANN. This is a very important subject to which attention has been particularly attracted in recent days. I have examined the bills which the gentleman from Missouri has reported from his committee and would like to take occasion to congratulate the gentleman from Missouri on the very hard, earnest, and intelligent work that his committee has done in reference to these various propositions.

Mr. ALEXANDER. I appreciate the compliment.

Mr. MANN. I think the work done by the Committee on the Merchant Marine and Fisheries at this session is the most important that has been done by that committee in many years, and, I will say, is as important as any committee of this House. Yet it seems to me that a bill of this sort ought to receive more consideration than can be given it on the unanimous-consent calendar. Now, does not the gentleman believe if Congress runs on he will have an opportunity to bring this up by unanimous consent, fixing a day for its consideration in the near future? The gentleman has introduced a rule providing for the consideration of a number of bills. Of course, if we should have the good fortune to adjourn Congress in the middle of this month, I take it—

Mr. BUTLER. That is a radiogram the gentleman is sending.

Mr. MANN (continuing). That this bill would have to go over; but, even at that, if we should adjourn this month without the consideration of this bill and these other bills which the gentleman has for consideration, the gentleman will remember, when we convene in December, there are no appropriation bills ready to report, and that gentlemen who are ready to take up other bills at once usually get most of the month of December for the passage of such bills. This being a Senate bill, and we pass it, that would end it. Now, I do not think the gentleman ought to ask the House to consider a bill like this on unanimous-consent day, notwithstanding its great importance and notwithstanding the intelligent work which the gentleman and his committee have done on this and the other bills.

Mr. ALEXANDER. Mr. Speaker, I appreciate all the gentleman has said, and I appreciate very much the compliment he has paid to my committee.

Mr. MANN. It was deserved.

Mr. ALEXANDER. Now, I felt it my duty, in view of the lateness of the session and the chances that the bill might not

be reached on the call of committees, to exhaust every parliamentary method to secure consideration of this bill.

Mr. MANN. The gentleman was quite right in that, of course.

Mr. ALEXANDER. And I appreciate the weight of the suggestion made by the gentleman from Illinois, and, as the bill has been read, if the gentleman thinks it ought not to be considered to-day, why would it not be well to ask unanimous consent that its consideration may be deferred until the next Unanimous Consent Calendar day? That will give the Members of the House an opportunity to study the bill, and if there are amendments which they wish to have considered, I shall be very glad to entertain them. I think it possibly may be better to let the House adopt amendments to the bill if it so desires and let it go over to the Senate, and if they are rejected let the bill go to conference. This bill, of course, comes to the House and the Senate from the Department of Commerce and Labor, cooperating with the Navy and War Departments. There are very large commercial interests involved; extensive hearings have been held both by the Senate and House committees, and the bill has been considered for months past by subcommittees of the House and the Senate, and as amendments were suggested in one committee they were conveyed to and considered and in most instances agreed to by the other, so that the two bills are in all essential particulars the same.

Mr. BUTLER. I notice a little difference in the reading.

Mr. ALEXANDER. I can point out the differences to the gentleman. It was simply that I might discharge a duty which is an important one in having wireless telegraphy regulated, to prevent the interferences that are a constant source of annoyance, and to place this great art on some footing under wholesome and reasonable regulations that I have placed it on the Calendar for Unanimous Consent.

Mr. MANN. Will the gentleman yield to allow me to ask one question on the subject matter of the bill?

Mr. ALEXANDER. Certainly.

Mr. MANN. What jurisdiction, in the first place, has the Government of the United States over an electric current which passes in the air from one State to another? How can anybody tell the effect of a radiogram which extends beyond the exclusive jurisdiction of a State or Territory where the same originates?

Mr. ALEXANDER. Of course, that provision is incorporated under the provision of the Constitution vesting in Congress the power to regulate commerce between the States, and if a radiogram or message sent by a station within a State is received by a station beyond a State it might be regarded as interstate business and may be taken as evidence of the fact that they are violating this law. The purpose of the bill is to prevent interference by amateurs with commercial and Government business.

Mr. MANN. If the gentleman will permit, I do not think he gets part of my question. Say there is an amateur working with a wireless instrument and he sends out a current. It goes beyond the limits of a State, and by the fact it goes beyond the limits of the State he is subjected to an offense under the provisions of this bill.

Mr. ALEXANDER. Yes; if they use a wave length exceeding 200 meters or it interferes with Government or commercial stations.

Mr. MANN. Oh, it does not make any difference what is the wave length he uses. If he has not taken out a license under the provisions of this bill, he can not send out a radiogram or other electric current the effect of which extends beyond the limits of the State. How does anyone know how far it goes, and if they do know, how far does the commerce clause of the Constitution give to us the power to say that that thing done in a particular State the effect of which extends beyond the State is punishable? In other words, we say that a man on the Indiana side of the State line between Indiana and Illinois can not talk because the sound of his voice goes across the State line.

Mr. ROBERTS of Massachusetts. If that is an interference with interstate commerce.

Mr. MANN. That has nothing to do with interference with interstate commerce. This requires a license. I only ask the gentleman—

Mr. BUTLER. So that he may think about it.

Mr. MANN. So he may think about it. Now, if the gentleman will permit, I do not propose to place the responsibility upon the gentleman, but assume it myself. I shall object to the consideration of the bill at this time, but will not object to the gentleman asking unanimous consent to pass the bill over without objection to the next calendar day.

Mr. ALEXANDER. I think that is quite fair.

Mr. MANN. And let it come up on the next calendar day.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent that the consideration of this bill may go over without prejudice until the next calendar Monday.

The SPEAKER. The gentleman from Missouri [Mr. ALEXANDER] asks unanimous consent that the consideration of this bill go over without prejudice until two weeks from to-day.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. The bill on the Unanimous Consent Calendar is the House bill. As I understand, the Senate bill has been substituted now for that on the Calendar for Unanimous Consent, and it is the Senate bill that goes over.

The SPEAKER. Yes; it is the Senate bill that goes over. Is there objection?

Mr. BUTLER. Mr. Speaker—

Mr. MANN. What about the House bill?

The SPEAKER. The House bill will be laid on the table, under the usual practice, if anybody asks for it to be.

Mr. MANN. The House bill might as well be laid on the table.

Mr. BUTLER. This request carries the consideration of the bill over for two weeks from this day?

The SPEAKER. That is the Senate bill.

Mr. MANN. Unless it should come up sooner?

The SPEAKER. Yes; and by unanimous consent the House bill is laid on the table. The Chair will call the attention of the gentleman from Missouri and of the gentleman from Illinois to the fact that the last six days of the session are suspension days. Of course, that has nothing to do with the Calendar for Unanimous Consent.

Mr. MANN. Mr. Speaker, I hope the Speaker will not make that statement, because it has always been held heretofore that the last six days of the session, which will not occur at this session, being suspension days, are also Unanimous-Consent Calendar days.

The SPEAKER. The Chair does not hold that now, because the Chair is not required to pass an opinion upon it. The Chair was referring only to the two-thirds rule. There may not be the six days in contemplation of that clause. We do not know about it.

CARRIAGE OF DANGEROUS ARTICLES ON PASSENGER STEAMERS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 23001) to amend section 4472 of the Revised Statutes of the United States, relating to the carrying of dangerous articles on passenger steamers.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 4472 of the Revised Statutes of the United States, as amended by the act of March 3, 1905, and by the act of May 28, 1906, be further amended by substituting a colon for the period at the end of said section as amended and adding thereto the following proviso: "Provided further, That nothing in the foregoing or following sections of this act shall prohibit the use, by steam vessels carrying passengers for hire, of lifeboats equipped with gasoline motors and tanks containing gasoline for the operation of said motor-driven lifeboats: *Provided, however,* That no gasoline shall be carried other than that in the tanks of the lifeboats."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 2, line 5, by adding, after the word "lifeboats," the following proviso:

"Provided further, That the use of such lifeboats equipped with gasoline motors shall be under such regulations as shall be prescribed by the board of supervising inspectors with the approval of the Secretary of Commerce and Labor."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the amended bill.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. ALEXANDER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

SUBPORT OF ENTRY AND DELIVERY, INDIANA HARBOR, IND.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 16674) to establish a subport of entry and delivery at Indiana Harbor, in the State of Indiana.

The Clerk read the bill, as follows:

Be it enacted, etc., That Indiana Harbor, in the State of Indiana, on the southern shore of Lake Michigan, be, and the same is hereby, constituted a subport of entry and delivery within the district of Chicago, Ill., and customs officers shall be stationed at said subport with authority to enter and clear vessels, receive duties, fees, and other moneys, and perform such other services, and receive such compensation, as in the judgment of the Secretary of the Treasury the exigencies of commerce may require.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. CRUMPACKER. Mr. Speaker, this bill being on the Union Calendar, I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Indiana [Mr. CRUMPACKER] asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. CRUMPACKER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

SALE OF CERTAIN LANDS TO STATE OF IDAHO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20684) authorizing the donation of the lands, buildings, and other property heretofore used as the Lemhi Indian School, on the Lemhi Reservation in Idaho, to the State of Idaho.

The Clerk read the bill, as follows:

Be it enacted, etc., That the lands and buildings and other property heretofore used as a school for the Lemhi Indians, and situated on the Lemhi Reservation in Idaho, are hereby donated to the State of Idaho, to be used as a reform school by said State; and the Secretary of the Interior is hereby authorized to issue patent in fee to the State of Idaho for the property embraced in this grant.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I ask to have the amendment reported, reserving the right to object.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend by striking out lines 3, 4, 5, 6, 7, 8, and 9, page 1, and substituting the following:

"That the Secretary of the Interior be, and he is hereby, authorized to cause to be sold, under such regulations, terms, and conditions as he may prescribe, the unappropriated school and agency lands on the former Lemhi Indian Reservation, in the State of Idaho, described as follows: Northwest quarter, northwest quarter southwest quarter, section 28, northeast quarter northeast quarter, west half southwest quarter northeast quarter, east half southeast quarter northeast quarter, excepting 1 acre of ground and the building thereon to be sold to the school board of district No. 26, Lemhi County, Idaho; lot 1, northwest quarter southeast quarter, south half southeast quarter, section 29, township 18 north, range 24 east, Boise meridian, containing 434 acres, together with the buildings thereon, and to convey the same by patent or patents in fee simple to the purchaser or purchasers: *Provided*, That the State of Idaho shall be given the preference right for one year from and after the passage of this act to purchase said lands, together with the buildings, at the present appraised value thereof."

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the amended bill.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended so as to read: "A bill providing for the sale of the Lemhi School and Agency plant and lands on the former Lemhi Reservation, in the State of Idaho."

On motion of Mr. FRENCH, a motion to reconsider the vote whereby the bill was passed was laid on the table.

NORWEGIAN ICE BREAKER "KIT."

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17235) to grant American registry to the Norwegian ice breaker *Kit*.

Mr. WILSON of Pennsylvania. Mr. Speaker, in the absence of the gentleman from Texas [Mr. HARDY], I ask unanimous consent that the bill go over until the next unanimous-consent day, without prejudice.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that this bill go over, without prejudice, until the next unanimous-consent day. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

SUBPORT OF ENTRY AT BAY CITY, MICH.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17679) to make Bay City, Mich., a subport of entry.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the substitute be read in lieu of the original bill.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the substitute be read in lieu of the bill. Is there objection?

There was no objection.

The Clerk read the substitute, as follows:

That Bay City, in the State of Michigan, be, and is hereby, constituted a subport of entry in the customs collection district of Huron,

and that the privileges of the first section of the immediate transportation act, approved June 10, 1880, entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," be, and the same are hereby, extended to said support. And such customs officers may, in the discretion of the Secretary of the Treasury, be stationed at said support as, in his judgment, the interests of the service may require, who shall receive such compensation as may be fixed by him.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the amendment.

Mr. MANN. Mr. Speaker, this is on the Union Calendar. I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was accordingly read the third time, and passed.

On motion of Mr. RAINEY, a motion to reconsider the last vote was laid on the table.

RADIO COMMUNICATION ON CERTAIN OCEAN STEAMERS.

The next business on the Calendar for Unanimous Consent was the bill (S. 3815) to amend an act entitled "An act to require apparatus and operators for radio communication on certain ocean steamers," approved June 24, 1910.

The bill was read as follows:

Be it enacted, etc., That the act entitled "An act to require apparatus and operators for radio communication on certain ocean steamers," approved June 24, 1910, be amended by the addition of the following words to section 1:

"*Provided also*, That on and after the 1st day of July, 1912, it shall be unlawful for any ocean-going steamer of the United States or of any foreign country, carrying 100 or more persons, whether passengers or crew, or both, to leave or attempt to leave any port of the United States unless such steamer shall be equipped with an efficient apparatus for radio communication in good working order, in charge of two or more persons skilled in the use of such apparatus, one of whom shall be on duty at all hours of the day and night, which apparatus shall be capable of transmitting and receiving messages over a distance of at least 100 miles, night or day."

The following substitute proposed by the Committee on the Merchant Marine and Fisheries was read:

That section 1 of an act entitled "An act to require apparatus and operators for radio communication on certain ocean steamers," approved June 24, 1910, be amended so that it will read as follows:

"SECTION 1. That from and after October 1, 1912, it shall be unlawful for any steamer of the United States or of any foreign country navigating the ocean or the Great Lakes and licensed to carry 50 or more persons, including passengers or crew, or both, to leave or attempt to leave any port of the United States unless such steamer shall be equipped with an efficient apparatus for radio communication, in good working order, capable of transmitting and receiving messages over a distance of at least 100 miles, day or night, under all conditions of atmospheric disturbance when it is safe for the operator to work the set. An auxiliary power supply, independent of the vessel's main electric power plant, must be provided which will enable the sending set for at least four hours to send messages over a distance of at least 100 miles, day or night, under all atmospheric conditions safe for an operator to work."

"The radio equipment must be in charge of two or more persons skilled in the use of such apparatus, one or the other of whom shall be on duty at all times while the vessel is being navigated. Such equipment, operators, the regulation of their watches, and the transmission and receipt of messages, except as may be regulated by law or international agreement, shall be under the control of the master, in the case of a vessel of the United States; and every willful failure on the part of the master to enforce at sea the provisions of this paragraph as to equipment, operators, and watches shall subject him to a penalty of \$100."

"That the provisions of this section shall not apply to steamers plying only between ports less than 200 miles apart."

SEC. 2. That this act, so far as it relates to the Great Lakes, shall take effect on and after April 1, 1913, and so far as it relates to ocean-going cargo steamers shall take effect on and after July 1, 1913.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I should like to ask the gentleman whether he thinks it would be proper for this bill to go over with the other one, which went over a few minutes ago?

Mr. ALEXANDER. This is a substitute for the Senate bill, which was passed by the Senate as an amendment to the act of June 24, 1910. I would prefer that it be considered now. It is a simple proposition. If any amendments are desired to improve the bill, we have no particular pride in the language.

Mr. MANN. I should like to ask the gentleman one question in reference to the bill, if I may.

Mr. ALEXANDER. Certainly.

Mr. MANN. The provision is that the radio equipment must be in charge of two or more persons skilled in the use of such apparatus, one or the other of whom shall be on duty at all times while the vessel is being navigated. Just what jurisdiction has the United States to say how a vessel shall be navigated on the high seas, outside of the 3-mile limit, if that vessel belongs to a foreign country?

Mr. ALEXANDER. I should say that we have no jurisdiction to enforce the penalty, and as to those vessels it would be no more than advisory. At the same time, I could point the gentleman to legislation by Congress along the same lines, in which they prescribe regulations for foreign ships on the high seas.

Mr. BUTLER. Could we not decline to admit them to American ports and decline to give them clearance papers?

Mr. MANN. That is the trouble. Supposing Great Britain makes one regulation for foreign ships on the high seas and we make another regulation concerning the same ships on the high seas. Those ships would be on the high seas, but they would be between the devil and the deep sea.

Mr. BUCHANAN. They would be between two devils, would they not?

Mr. ALEXANDER. In my opinion the practical effect would be that it would be impossible to enforce the penalties except as to American vessels or foreign vessels in American waters.

Mr. MANN. Of course we could decline to give clearance and entry unless they did certain things, but I do not see where we get the authority to control the navigation of a foreign vessel on the high seas, and I have been afraid that if we assume that authority other nations will assume the same thing, and that there will be conflict rather than accord.

Mr. BUTLER. Will the gentleman explain why it is that the limit is placed at 100 passengers? It seems to me all ships carrying passengers for hire, even if no more than half a dozen, ought to have the very best wireless apparatus.

Mr. MANN. How can a little tugboat carry wireless apparatus?

Mr. BUTLER. A little tugboat would not be carrying passengers for hire.

Mr. MANN. Not on the high seas.

Mr. BUTLER. No.

Mr. MANN. But they would on the rivers and lakes.

Mr. ALEXANDER. The House substitute provides that it shall apply to 50 or more persons, including the crew. The Senate bill makes it apply to 100 persons.

Mr. BUTLER. I did not hear the reading of the amendment.

Mr. ALEXANDER. That is the existing law, except that the existing law does not apply to cargo vessels, whereas the committee amendment does apply to cargo vessels as well as to passenger vessels.

Mr. BUTLER. Does not the law apply to vessels carrying both passengers and freight?

Mr. ALEXANDER. Not the existing law.

Mr. BUTLER. It should.

Mr. ALEXANDER. This amendment proposes to do so.

Mr. BUTLER. I did not hear it as it was read, and I could not get a copy of the bill. I understand that the committee substitute applies to vessels carrying 50 or more persons, including the crew.

Mr. ALEXANDER. With the gentleman's permission, I will explain briefly the provisions of the House substitute for the Senate bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MANN. I reserve the right to object until the gentleman finishes his explanation.

Mr. ALEXANDER. The act of June 24, 1910, which may be found on page 424 of the navigation laws of the United States, requires passenger vessels to be equipped with wireless apparatus. That act applies to passenger steamers carrying 50 or more persons, including passengers and crew. It also provides that those vessels should be equipped with apparatus for radio communication, and that the apparatus should be in charge of a skilled operator. This bill only amends section 1 of that act.

The first amendment suggested by the Committee on the Merchant Marine and Fisheries to the Senate bill is to postpone the time when the act shall go into effect till October 1, 1912. I am not sure but that the bill should be amended so as to provide that it shall go into effect on the 1st of January next, because I have communications from the companies manufacturing wireless apparatus and from the vessel owners who are endeavoring to secure operators stating that it will be very difficult to provide the apparatus and to secure skilled operators by the 1st day of October next.

The second respect in which the House substitute amends the Senate bill is to provide that the act shall apply to cargo as well as passenger vessels, where they carry or are licensed to carry 50 or more persons, including passengers or crew, or both. The House substitute provides:

That from and after October 1, 1912, it shall be unlawful for any steamer of the United States or of any foreign country navigating the ocean or the Great Lakes and licensed to carry 50 or more persons,

including passengers or crew, or both, to leave or attempt to leave any port of the United States unless such steamer shall be equipped with an efficient apparatus for radio communication, in good working order, capable of transmitting and receiving messages over a distance of at least 100 miles, day or night, under all conditions of atmospheric disturbance when it is safe for the operator to work the set.

There are times when it is dangerous to the operator's life to work the set, for instance, during thunderstorms.

You will note that we further amend the existing law by providing—

that an auxiliary power supply, independent of the vessel's main electric power plant, must be provided which will enable the sending set for at least four hours to send messages over a distance of at least 100 miles, etc.

Suggestions have been made that we ought to provide for an auxiliary power supply to enable the sending set to send messages over a distance of 300 miles or more, but manifestly if the ship was foundering at sea it would not be possible for a ship more than 100 miles away to go to her relief, and hence 100 miles for all practical purposes will meet the situation.

Mr. BUTLER. That is only six hours' notice. I was wondering why the gentleman did not increase the distance of the radiograph from 100 to 300 miles, but he is making the explanation.

Mr. ALEXANDER. Yes. Then it is well known that daylight absorbs the radio energy, and the efficiency of the apparatus in the daytime is not so great as at night. The provision in the committee substitute is that the auxiliary power supply shall be efficient for 100 miles both day and night.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. ALEXANDER. Certainly.

Mr. MOORE of Pennsylvania. There is nothing in this bill that binds ordinary tugboats plying in harbors to comply with its conditions, is there?

Mr. ALEXANDER. No. The Senate bill and the committee substitute both provide:

The radio equipment must be in charge of two or more persons skilled in the use of such apparatus, one or the other of whom shall be on duty at all times while the vessel is being navigated.

The criticism that we have no jurisdiction over foreign vessels navigated outside of our waters is a legitimate criticism, but we will not undertake to enforce any penalty against those vessels in our courts for an offense committed outside of the 3-mile limit, but it is intended to apply to all vessels of the United States.

The committee substitute for the Senate bill further provides that such equipment, operators, the regulation of their watches, and the transmission and receipt of messages, except as may be regulated by law or international agreement, shall be under the control of the master in the case of a vessel of the United States, and that every willful failure on the part of the master to enforce at sea the provisions of this paragraph as to equipment, operators, and watches shall subject him to a penalty of \$100.

Now, the Berlin convention regulates many of these matters, and from time to time we may pass further legislation relating to wireless telegraphy, and hence that clause was inserted to meet those conditions as they may arise.

Mr. GARNER. Mr. Speaker, may I ask the gentleman for whose benefit he is making this explanation?

Mr. ALEXANDER. I am making it for the benefit of the House.

Mr. GARNER. Who reserved the objection?

Mr. ALEXANDER. The gentleman from Illinois [Mr. MANN].

Mr. GARNER. But the gentleman from Illinois has been busily engaged in conversation with two other gentlemen for some time.

Mr. MANN. I beg the gentleman's pardon; I can listen to all that the gentleman from Texas says worth hearing and talk with two other gentlemen besides. [Laughter.] I have listened carefully to what the gentleman from Missouri has been saying, and I will say, further, that I do not desire to object. The gentleman desired to explain his bill, and I reserved an objection. I did not desire to talk all day on the bill.

Mr. GARNER. Well, Mr. Speaker, I simply wanted to bring the matter to a close.

Mr. WILLIS. Will the gentleman from Missouri yield for a question?

Mr. ALEXANDER. Yes.

Mr. WILLIS. I want to ask the gentleman whether he has considered what might be the result of the language in lines 19, 20, and 21, on page 3—

That the provisions of this section shall not apply to steamers plying only between ports less than 200 miles apart.

It occurs to me that there are ports less than 200 miles apart between which vessels are plying and where such vessels carry

a large number of passengers. I ask the gentleman whether it would not be advisable to have that language stricken out?

Mr. ALEXANDER. That is the existing law, passed in 1910.

Mr. WILLIS. Does the existing law apply to steamers on the Great Lakes the same as on the ocean?

Mr. ALEXANDER. It does not, but this will. I am told that most of the steamers on the Great Lakes are equipped with wireless telegraphy now.

Mr. WILLIS. Even if it is existing law, does not the gentleman think it would be wise to have this provision stricken out so that the requirement might apply to vessels that carry a large number of passengers between lake ports where the lives of thousands of people are involved? I do not see why this distinction should be in there.

Mr. ALEXANDER. We were reluctant to disturb existing law unless it was necessary.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read the amendment in the nature of a substitute.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The amended Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. ALEXANDER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

DISPOSITION OF CONDEMNED BRONZE OR BRASS CANNON IN CERTAIN CITIES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 24458) authorizing the Secretary of War, in his discretion, to deliver to certain cities and towns condemned bronze or brass cannon, with their carriages and outfit of cannon balls, and so forth.

The Clerk proceeded to read the bill.

Mr. HAY. Mr. Speaker, this bill was read in the House in full two weeks ago and I ask unanimous consent to dispense with the reading of the bill.

The SPEAKER. The gentleman from Virginia asks unanimous consent to waive the reading of the bill. Is there objection?

There was no objection.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. MANN. Will the gentleman from Virginia object if I offer an amendment to the bill?

Mr. HAY. Not at all. I think every city that wants one of these cannon ought to have it.

Mr. MANN. I would like one for the city of Chicago or for a Grand Army post.

The SPEAKER. The Clerk will read the amendment.

Amend, page 5, after line 8, by inserting as a new paragraph the following:

"To the city of Chicago, Ill., one condemned bronze or brass cannon with its carriage and a suitable outfit of cannon balls, to the use of L. H. Drury Post, No. 467, Grand Army of the Republic, the same to be subject at all times to the order of the Secretary of War."

Mr. GARNER. That does not cost the Government anything; it is subject to the proviso, is it?

Mr. MANN. It comes in ahead of the proviso.

The SPEAKER. The question is on the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HAY, a motion to reconsider the last vote was laid on the table.

IMMIGRATION STATION SITE, BALTIMORE, MD.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20501) to authorize the Secretary of Commerce and Labor to exchange the site heretofore acquired for a United States immigration station at Baltimore, Md., for another suitable site, and to pay, if necessary, out of the appropriation heretofore made for said immigration station an additional sum in accomplishing such exchange; or to sell the present site, the money procured from such sale to revert to the appropriation made for said immigration station, and to purchase another site in lieu thereof.

The Clerk began to read the bill.

Mr. GARNER. Mr. Speaker, I ask unanimous consent to have this bill go over.

Mr. TOWNER. Mr. Speaker, I was just going to ask, at the request of the gentleman from Maryland [Mr. LINTHICUM], that, pending some facts which he desires to investigate, the bill may go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Texas and the gentleman from Iowa? There was no objection.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 4568. An act granting an increase of pension to Annie R. Schley; to the Committee on Pensions.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 323. Joint resolution authorizing Charles F. Riddell, cashier in the office of the Sergeant at Arms of the House of Representatives, to sign all checks, requisitions, and papers in the place of U. S. Jackson, Sergeant at Arms, to obtain money appropriated for the salaries and mileage of Members of the House of Representatives during the temporary disability of the said U. S. Jackson.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill:

H. J. Res. 323. Joint resolution authorizing Charles F. Riddell, cashier in the office of the Sergeant at Arms, to sign all checks, requisitions, and papers in the place of U. S. Jackson, Sergeant at Arms, to obtain money appropriated for the salaries and mileage of Members of the House of Representatives during the temporary disability of the said U. S. Jackson.

DESERT-LAND ENTRIES, CHUCKAWALLA VALLEY, CAL.

The next business on the Calendar for Unanimous Consent was the bill (S. 6508) to exempt from cancellation certain desert-land entries in the Chuckawalla Valley, Cal.

The Clerk read the bill, as follows:

Be it enacted, etc. That no desert-land entry heretofore made in good faith under the public-land laws for lands in townships 4 and 5 south, range 15 east; townships 4 and 5 south, range 16 east; townships 4, 5, and 6 south, range 17 east; townships 5, 6, and 7 south, range 18 east; townships 6 and 7 south, range 19 east; townships 6 and 7 south, range 15 east; townships 4 and 5 south, range 16 east; townships 4, 5 and 6 south, range 22 east, Santa Bernardino meridian, State of California, shall be canceled because of failure on the part of the entryman to make any annual or final proof falling due upon any such entry prior to May 1, 1913.

The SPEAKER. Is there objection?

Mr. MONDELL. Mr. Speaker, reserving the right to object, I will state that I understand the situation and think the bill is all right, but reading it over hurriedly just now this fact has occurred to me, that it might affect some entries other than those the gentleman had in mind, because it provides that no entry shall be canceled because of failure on the part of entryman to make any annual or final proof falling due upon any such entry prior to May 1, 1913. Does the gentleman want to include any such entries against which contests might have been filed?

Mr. RAKER. I think this would cover them all. In other words, if there have been contests filed—

Mr. MONDELL. Does the gentleman know whether there have been such contests?

Mr. RAKER. There seem to have been none, so far as the report of the department is concerned and so far as the information that I can get from those who live in the valley is concerned. I received several letters, one yesterday and one to-day. The history of the matter is set out clearly in the report. It simply gives these people up until that time to determine whether they will go ahead and try to improve the desert claims. There are about 780 of them, and there is a contest now between the United States and Mexico as to who is entitled to the water. This bill will give these people the necessary temporary relief until the water controversy between the United States and Mexico is settled. This relief is urgent and necessary and I trust it will pass.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. RAKER. Mr. Speaker, this is on the Union Calendar, and I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. RAKER, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE BETWEEN DAUPHIN ISLAND AND MAINLAND AT CEDAR POINT, ALA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 23799) to amend "An act to authorize the Dauphin Island Railway & Harbor Co., its successors or assigns, to construct and maintain a bridge or bridges or viaducts across the water between the mainland, at or near Cedar Point, and Dauphin Island, both Little and Big; also to dredge a channel from the deep waters of Mobile Bay into Dauphin Bay; also to construct and maintain docks and wharves along both Little and Big Dauphin Islands."

The Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act of Congress approved June 25, 1910, entitled "An act to authorize the Dauphin Island Railway & Harbor Co., its successors or assigns, to construct and maintain a bridge, or bridges, or viaducts, across the water between the mainland, at or near Cedar Point, and Dauphin Island, both Little and Big; also to dredge a channel from the deep waters of Mobile Bay into Dauphin Bay, and to dredge the said Dauphin Bay; also to construct and maintain docks and wharves along both Little and Big Dauphin Islands," be amended to read as follows:

"Sec. 6. That the authority granted in section 1 of said act shall be considered withdrawn and deemed to be revoked if the said railroad bridge or bridges and approaches thereto be not constructed and put in operation by or before the 18th day of September, 1916."

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I do not suppose that the gentleman from Maryland [Mr. COVINGTON] in charge of the bill will know, but there is some item relating to this matter, I think, which was inserted as an amendment in the Senate to the river and harbor bill. Is the gentleman familiar with that?

Mr. COVINGTON. I understand, Mr. Speaker, that the necessity for this bill is that the bridge work depends upon certain river and harbor work, and that the time for construction of the bridge having expired and the river and harbor work not having been completed, but an appropriation now being provided for it, it is necessary to extend the time to construct the bridge. It is represented that it can not be satisfactorily constructed until the river and harbor work is done.

Mr. MANN. There is in the river and harbor bill now in conference a Senate amendment. I do not recall just what it is, nor whether it is as to the same company, but it gives certain rights to some company with reference to Dauphin Island. I do not know whether it is in conflict with this or whether it is the same thing. Of course, if it is the same thing it does not make any difference. If it goes through in this bill, it would not have to stay in the river and harbor bill.

Mr. COVINGTON. I do not think it affects this proposition.

Mr. MANN. I think it does affect this, but I shall not object.

Mr. SABATH. Mr. Speaker, reserving the right to object, I will ask the gentleman where Dauphin Island is?

Mr. COVINGTON. It is near Mobile, Ala.

Mr. SABATH. Is that the property that is now being used by a railroad?

Mr. COVINGTON. I think so.

Mr. MANN. Dauphin Island is between Mobile and the Gulf. We have had this matter up a number of times in the Committee and in the House.

Mr. COVINGTON. This legislation in one form or another has been before the House a number of times.

Mr. SABATH. Is not this the fact, that this railroad is trying to preclude other companies from getting into the harbor?

Mr. COVINGTON. Oh, no.

Mr. SABATH. If I am not mistaken, some charges have been made to that effect.

Mr. COVINGTON. Mr. Speaker, I think the gentleman refers to the situation of the Mobile & Ohio Railroad Co., in connection with what are known as the Turner-Hartwell Docks. That is a controversy with regard to the exclusive operation of certain water-front properties and the monopoly of terminal facilities at Mobile.

Mr. SABATH. That is it.

Mr. COVINGTON. It has no connection whatever with the Dauphin Island Railway & Harbor Co.

Mr. SABATH. This is not the property or place?

Mr. COVINGTON. No. The dock and terminal controversy is a matter which is now before the Interstate Commerce Commission as affecting the right to the exclusive control of dock operations within the city of Mobile.

Mr. SABATH. That is what I had reference to.

Mr. MANN. This is an effort to construct a competing proposition below the city.

Mr. COVINGTON. This is an effort of the citizens of Mobile themselves to provide for the destruction of the exclusive monopoly that exists there.

Mr. SABATH. I understood there was an exclusive right maintained by the Mobile & Ohio Co., and no other railroad company was able to enter the harbor and could not obtain any facilities. I did not know whether this was owned by the Mobile & Ohio or was a separate and distinct and independent railroad.

Mr. COVINGTON. It is a separate and distinct concern. It provides competition rather than promotes monopoly.

Mr. SABATH. The gentleman is sure of that?

Mr. COVINGTON. That is my understanding.

Mr. SABATH. And will give the people of Mobile relief from the operation of the Mobile & Ohio Railroad?

Mr. COVINGTON. That is my understanding.

Mr. MOORE of Pennsylvania. It does not involve any cost to the Government?

Mr. COVINGTON. None at all.

Mr. ADAMSON. It is merely extending the time to build the bridge.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, strike out section 6 and insert:

"That the Dauphin Island Railway & Harbor Co., a corporation existing under the laws of the State of Alabama, be, and it is hereby, authorized to construct, maintain, and operate a bridge or bridges, and approaches thereto, between the mainland, at a point suitable to the interests of navigation at or near Cedar Point, and Dauphin Island, both Little and Big, situated in Mobile County, State of Alabama, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906: *Provided*, That the authority hereby granted shall be considered as withdrawn and deemed to be revoked if the said bridge or bridges and approaches thereto be not constructed and put in operation by or before the 18th day of September, 1916."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. COVINGTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS GOOSE CREEK, BERKELEY COUNTY, S. C.

The next business on the Calendar for Unanimous Consent was the bill (S. 6848) authorizing the Cooper River Corporation, a corporation organized under the laws of the State of South Carolina, to construct, maintain, and operate a bridge and approaches thereto across Goose Creek, in Berkeley County, S. C.

The Clerk read as follows:

Be it enacted, etc., That the Cooper River Corporation, a corporation organized under the laws of the State of South Carolina, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across Goose Creek, at or near a point within a radius of about one and one-half miles below the waterworks spillway, in Berkeley County, State of South Carolina, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore (Mr. GRAHAM). Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk reads as follows:

Page 1, line 9, after the words "South Carolina," insert "at a point suitable to the interests of navigation."

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. COVINGTON a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS RED RIVER OF THE NORTH AT PEMBINA, N. DAK.

The next business on the Calendar for Unanimous Consent was the bill (S. 6614) to authorize the construction of a pontoon bridge across the Red River of the North between Pembina, N. Dak., and St. Vincent, Minn.

The Clerk read as follows:

Be it enacted, etc., That the municipal authorities of Pembina, in the State of North Dakota, and St. Vincent, in the State of Minnesota, are hereby authorized to construct and maintain a pontoon bridge across the Red River of the North, at a point suitable to the interests of navigation within the corporate limits of said cities, in accordance with the provisions of the act of Congress entitled "An

act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. COVINGTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

WALHALLA, NECHE, AND ST. JOHN, N. DAK., SUPPORTS OF ENTRY.

The next business on the Calendar for Unanimous Consent was the bill (S. 4572) to designate Walhalla, Neche, and St. John, in the State of North Dakota, supports of entry, and to extend the privileges of the first section of the act of Congress, approved June 10, 1880, to said supports.

The Clerk read as follows:

Be it enacted, etc., That Walhalla, Neche, and St. John, in the State of North Dakota, be, and the same are hereby, designated supports of entry in the customs collection district of North and South Dakota.

SEC. 2. That the privileges of the first section of the act approved June 10, 1880, entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," be, and the same are hereby, extended to the said supports.

SEC. 3. That the Secretary of the Treasury is hereby authorized to discontinue the said supports of entry, or to withdraw the privileges of the first section of the act of June 10, 1880, therefrom, at any time when he shall be satisfied that the interests of commerce or of the revenue no longer require their continuance.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. Mr. Speaker, reserving the right to object, I observe that this bill proposes to make three different places in North Dakota supports of entry. We have already to-day passed two bills each making one place a support of entry and another bill of the same character was objected to. What is the additional expense, if any, to the Government where one of these towns is made a support of entry? Does the gentleman happen to know?

Mr. HAMMOND. In the report it appears that there will be no extra expense to the Government. These are three small towns on the North Dakota border. Already a customs officer is there to examine freight and passengers' baggage, and if they are made supports of entry there will be no additional expense so far as known.

Mr. MANN. I know the Secretary of the Treasury reports in this case that there will be no extra expense. I desire to have it go on the record because I am very certain that that statement is incorrect.

Mr. HAMMOND. Unless business should increase so very, very largely that it will be necessary to have more officers there I can say the statement is correct. I do not see how there can be any more expense. The amount of business done in all three of those towns will not probably exceed \$6,000 at the present time, and this is simply a convenience—

Mr. MANN. I understand it is a convenience which I think should be granted where it can be and where it is not too expensive.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. HAMMOND. Mr. Speaker, this bill is upon the Union Calendar, and I ask unanimous consent that it be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to consider this bill in the House as in Committee of the Whole House on the state of the Union. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. HAMMOND, a motion to reconsider the vote by which the bill was passed was laid on the table.

CONSTRUCTION OF BRIDGE ACROSS SNAKE RIVER IN WYOMING.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 21171) authorizing the use of the reclamation fund in the construction of a bridge across Snake River in Wyoming.

Mr. MONDELL. Mr. Speaker, I wish to ask the gentleman from Oklahoma [Mr. CARTER] if he intends to object to the consideration of this bill. If he does, I do not care to take up the time of the House in having it read.

Mr. CARTER. Mr. Speaker, I much regret that at the request of my colleague from Oklahoma [Mr. FERRIS] I will be obliged to object.

The SPEAKER. The gentleman objects, and the bill will be stricken from the calendar.

LIGHTING OF PINEY BRANCH ROAD FROM GEORGIA AVENUE TO BUTTERNUT STREET.

The next bill on the Calendar for Unanimous Consent was the bill (H. R. 21708) to authorize the lighting of Piney Branch Road from Georgia Avenue to Butternut Street.

The Clerk read as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to light and maintain the lights on Piney Branch Road from Georgia Avenue to Butternut Street.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, considering the fact the District of Columbia Committee has been shunted a few times from District day, I suppose there is no real objection to putting a District bill on the Calendar for Unanimous Consent, although that is not to be the customary thing.

Mr. LOBECK. I do not think so.

Mr. MANN. Now, may I ask the gentleman: Under the existing law the District Commissioners have the authority to light this street?

Mr. LOBECK. They seem to have that authority whenever they want to change a street or make any changes in a street.

Mr. MANN. Well, now, I have been here a long time, and I do not recall any case where Congress passed a bill directing that a certain street be lighted. I am very confident that the District Commissioners have authority to light streets out of appropriations that Congress makes for that purpose. Now, does the gentleman propose that Congress shall hereafter determine in each case where a gas lamp shall be located and not the District Commissioners?

Mr. LOBECK. I only know in this case that this street was lighted for over 30 years, and I know from having seen the street myself that the lights should not have been removed, but by some authority the lights have been taken away from the street, and a wrong has been done to citizens and home owners on that street. It is a street that has much travel now, more than any street in that neighborhood.

Mr. MANN. Is not this the case, that Congress appropriates so much money for street lighting, but did not appropriate the amount which the District Commissioners asked for, but Congress made a reduction, a perfectly proper practice. Thereupon the District Commissioners, making an examination of the situation and being compelled to make use of the money as best they could, came to the conclusion that this street might do without lighting better than some other street and thereupon cut off the lamps. Now Congress proposes to order the lamps to be restored, but did not provide the means.

Mr. LOBECK. No. It is reported that the commissioners removed these lights, placed them on another street, and removed the lights from a street that has a great deal of travel on it, that has buildings built along it and homes built along it and has been lighted for the last 30 years. This street or road has been lighted during all that time. The lights should not have been taken away, as anyone will agree who will go over the street.

Mr. MANN. The fact is they cut off those lights in order to light some other place.

Mr. LOBECK. That is what is reported.

Mr. MANN. The gentleman said the commissioners moved these lamps to another street—

Mr. LOBECK. You can call it moving, but they took them away.

Mr. MANN. I do not know whether they did or not. The fact is that they cut off these lights because they could not light all the places they wanted to light, and they had to cut off at some place. Now, does the gentleman believe that it ought to be the policy of Congress to determine where a gas lamp shall be located instead of leaving that to the commissioners after we determine how much money shall be expended for the purpose?

Mr. LOBECK. If they do not expend the money appropriated for the lighting fund any better than they do in other funds of this city, I want to say that it is no credit to the commissioners. They have plenty of money to light the city with.

Mr. FOSTER. Do I understand from the gentleman that there were lights on this particular street before?

Mr. LOBECK. Yes; for over 30 years.

Mr. FOSTER. And the commissioners removed the lights to some other street where, in their judgment, they were more necessary?

Mr. LOBECK. They removed them a block away, so it is said, to a new street, and then placed some lights on that street.

Mr. FOSTER. Does the gentleman from Nebraska think it is a good policy, when the general law covers these cases, that

Congress should be asked to pass a bill placing lights on certain streets?

Mr. LOBECK. Well, I do not know what you have a District of Columbia Committee for, if it has no jurisdiction—where the General Government pays part of the expense.

Mr. FOSTER. I gather from what my colleague from Illinois [Mr. MANN] has said that you have a law on the statute book placing this matter in the hands of the District Commissioners.

Mr. MANN. Nobody denies that. That is too patent for question.

Mr. FOSTER. Now, you want to pass a law saying that this particular street shall be lighted, notwithstanding the statement of the commissioners that it is not necessary.

Mr. LOBECK. If I thought the judgment of the commissioners was infallible, I would agree with the gentleman. But the people who have spent their money in improving this street and in building their homes along it are entitled to protection, and the Commissioners of the District have taken that protection away from them. A light is as good as a policeman.

Mr. SABATH. Mr. Speaker, will the gentleman yield to me?

Mr. LOBECK. Yes.

Mr. SABATH. I desire to inquire if there is any truth in the report that I hear to the effect that there is a tendency on the part of the commissioners to discriminate; that they do light certain sections of the city, namely, some special subdivisions owned by some real large property owners and discriminate against other sections of the city?

The SPEAKER. Is there objection?

Mr. SIMS. How are you going to correct abuses if the exercise of the discretion is lodged with the commissioners unless by an act of Congress?

The SPEAKER. Is there objection?

Mr. MADDEN. Reserving the right to object, I understand the Piney Branch Road is a street that has been opened for 50 years or more, and has been lighted for many years?

Mr. LOBECK. Yes.

Mr. MADDEN. And there are other streets in that neighborhood that are being opened and paved and they are not lighted?

Mr. LOBECK. They are lighted.

Mr. MADDEN. I understand some of the streets connected with Piney Branch Road in this neighborhood are not lighted, and it is the intention of the commissioners to take the lights away from the Piney Branch Road and put them in some other place along that street?

Mr. LOBECK. That is my understanding.

Mr. MADDEN. There is no need for a bill to direct the commissioners to light the streets, is there?

Mr. LOBECK. They took the lights away, and the people want them replaced. They have been there for 30 years.

Mr. MADDEN. It ought not to be necessary to enact legislation for that.

Mr. LOBECK. The travel is greater on that street now than it was when it was laid out, and the lights should not have been removed. The commissioners have no right to destroy property to benefit others.

Mr. SIMS. Suppose the commissioners will not exercise their discretion?

Mr. MADDEN. There ought not to be any necessity for legislation in this way.

Mr. LOBECK. There is a church on that road, and many homes there.

Mr. SABATH. The charge is made that the District Commissioners in certain sections favor the large landowners.

Mr. MANN. Nobody who knows the facts believes that.

Mr. MADDEN. I do not believe we have the right to assume that the commissioners discriminate against anybody.

Mr. SABATH. Why, then, should they remove the lights from one street and put them on other streets?

Mr. MADDEN. I think the gentleman will find, if he asks why it was done, that it will not be necessary to have legislation. I object to the consideration of this bill.

The SPEAKER. The gentleman from Illinois objects.

Mr. SABATH. Is the gentleman opposed to allowing the people on that street to have their street lighted?

Mr. MADDEN. No; I do not object to that; but I object to the consideration of this bill.

The SPEAKER. Objection is heard, and the bill goes off the Calendar for Unanimous Consent.

TRANSFER OF CERTAIN LANDS TO SULPHUR SPRINGS, TEX.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11149) to authorize the Secretary of the Treasury to convey to the city of Sulphur Springs, Tex., certain lands for street purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, empowered and directed to deed to the city of Sulphur Springs, in the State of Texas, for street purposes and no other, a strip of land not exceeding 9 feet in width off both the east and south sides of the Federal building site in said city.

The SPEAKER. Is there objection?

Mr. MANN. Who is in charge of the bill?

Mr. STEPHENS of Texas. I have looked into the report, Mr. Speaker, and—

Mr. MANN. The report indicates in this case that there is reason for deeding to the city of Sulphur Springs a strip of land 9 feet in width on the east side of the building site and a strip of land not to exceed 6 feet 2 inches on the south side. Is the gentleman willing to have the bill corrected so as to make the description of the land correct, instead of saying "a strip of land not exceeding 9 feet in width on both the east and south sides," making it "a strip of land not to exceed 9 feet on the east side and a strip of land not to exceed 6 feet 2 inches on the south side"?

Mr. STEPHENS of Texas. It seems to me, in reading the report, that that was the object and intention when they drafted this bill. I have no objection to the gentleman's suggestion.

Mr. MANN. That correctly describes it and saves any difficulty.

Mr. STEPHENS of Texas. Let the gentleman offer an amendment.

Mr. FOSTER. This, as I understand, deeds to the city of Sulphur Springs, Tex., a strip of land 9 feet wide on two sides?

Mr. MANN. The amendment which I propose will cover a strip of land 9 feet wide on one side and 6 feet 2 inches wide on another side. They already have possession of the land under a license from the Government.

Mr. FOSTER. Is the street the same width all the way through?

Mr. AUSTIN. Certainly.

Mr. FOSTER. How does it come that this particular point is 9 feet narrower, where the Government building is located? Did they sell it to the Government and then ask the Government to give it back to them?

Mr. MANN. The sidewalk space was a part of the lot. They sold the lot to the Government, which included what was used for the sidewalk space on the street. That being the case, they found that the Government owned that sidewalk space, but the Government then gave a license to the city to use that space for a sidewalk. Now it is proposed to deed to the city what is used for the sidewalk. Evidently in laying out the land in some way the property used for sidewalk space was not dedicated as a part of the street.

Mr. STEPHENS of Texas. I think it is well guarded. It says that it shall be for street purposes and no other purpose.

Mr. MANN. While it says street purposes, it means a sidewalk. There is a sidewalk there now.

Mr. AUSTIN. It is recommended by the department.

The SPEAKER. Is there objection?

There was no objection.

Mr. MANN. I offer an amendment.

The SPEAKER. The gentleman from Illinois offers an amendment which the Clerk will report.

The Clerk read as follows:

Amend, page 1, line 7, by striking out the word "both" in the beginning of the line, and the words "and south" in the same line, and strike out the letter "s" in the word "sides" in the same line, and at the end of line 8 add:

"And a strip of land not exceeding 6 feet and 2 inches in width off the south side of said building site."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

On motion of Mr. AUSTIN, a motion to reconsider the last vote was laid on the table.

FIFTH INTERNATIONAL CONGRESS OF CHAMBERS OF COMMERCE.

The next business on the Calendar for Unanimous Consent was House joint resolution 234, making provision for the Fifth International Congress of Chambers of Commerce and Commercial and Industrial Associations.

The joint resolution was read, as follows:

Resolved, etc., That the President of the United States be, and he is hereby, authorized and requested to extend to the Governments of the commercial nations of the world an invitation to be represented officially at the Fifth International Congress of Chambers of Commerce and Commercial and Industrial Associations, to be held in Boston, Mass., September 24 to 28, 1912.

That for the necessary expenses of the meeting in the United States of the International Congress of Chambers of Commerce and Commercial and Industrial Associations, including a tour by the foreign delegates of the principal commercial, industrial, agricultural, and social centers of the United States, for the purpose of acquainting them with our institutions and enterprises, \$50,000 be, and hereby is, appropriated.

That the Secretary of State is hereby requested to ask the Governments of the commercial nations of the world to notify the leading business organizations of their respective countries of this action by the Congress of the United States of America and suggest their co-operation.

The SPEAKER. Is there objection?

Mr. BARTLETT. Mr. Speaker, I reserve the right to object. I desire to inquire if this bill carries an appropriation.

The SPEAKER. Fifty thousand dollars.

Mr. BARTLETT. Then it is on the Union Calendar, Mr. Speaker?

The SPEAKER. Yes; it is on the Union Calendar.

Mr. PETERS. Mr. Speaker, if I am granted unanimous consent for the consideration of this bill, I propose then to ask unanimous consent to substitute for it Senate joint resolution 72, which has passed the Senate and is now on the Speaker's table. Senate resolution 72 provides for extending to the Governments of the commercial nations of the world an invitation to be officially represented at the Fifth International Congress of Chambers of Commerce, to be held at Boston September 24, to 28. Since the resolution has already passed the Senate, it will immediately go to the President on its passage by this House. This resolution does not call for an appropriation.

Mr. BARTLETT. Then I suggest to the gentleman that he ask to substitute the Senate resolution, and I will ask him if he does not think there ought to be an amendment to the Senate resolution providing that no expense shall be incurred hereafter by the United States. I am not willing to vote for a bill which carries an appropriation for this purpose, and I doubt very much whether we ought to pass a resolution inviting people from other countries to come here for any purpose on behalf of the United States without providing for the payment of the expenses for the entertainment of our guests. I am not in sympathy with the proposition at all.

Mr. PETERS. There is no appropriation intended or asked for.

Mr. BARTLETT. Mr. Speaker, I have been fortunate or unfortunate enough to remain here in this House nearly 18 years and I never saw one of these little innocent propositions come in to invite people to the United States to participate in any exposition or other entertainment that we proposed to have for them that did not eventually cost the United States Government a good deal of money; and I do not think we ought to engage in this kind of business—of extending an invitation to foreigners as a national thing or that the Government of the United States should invite people here to participate in what is given the character and nomenclature of a national undertaking and invite them as our guests here unless we do propose to treat them as our guests. I am not willing that we shall engage in the business of making a mere meeting of the chambers of commerce of the United States on a matter in which the United States takes no part as a Government a national matter.

Mr. MANN. Will the gentleman yield?

Mr. BARTLETT. Yes; I will.

Mr. MANN. As I understand, this meeting is to be held this summer or fall?

Mr. CURLEY. September 24 to 28.

Mr. MANN. So that it can not occur that at any subsequent session of Congress we shall be asked to provide any money to meet these expenses?

Mr. BARTLETT. To pay those already incurred.

Mr. MANN. There is no danger of that.

Mr. BARTLETT. I have heard on previous occasions the solemn promise on the floor of this House that no such appropriation would be asked for later and still the Government has later on paid for the expenses. Take the Buffalo Exposition and the Charleston Exposition. We were solemnly assured that Congress never would be asked to pay any money, and yet we did pay hundreds of thousands of dollars.

Mr. MANN. Those were expositions.

Mr. BARTLETT. They were local affairs.

Mr. MANN. I suggest that the assurance of the gentleman from Boston that they will not ask for any more money at this time is sufficient.

Mr. BARTLETT. At this or at any other time.

Mr. MANN. Or, as far they are concerned, at any time. That would bind them and would carry it beyond this session of Congress. Heretofore these propositions have bound the gentlemen who made the promises, but they have not bound their successors or other gentlemen who came into Congress. In this case these gentlemen from Boston, being bound at this session of Congress, we will have passed the critical point before the next session, and hence there is no danger.

Mr. CURLEY. If my colleague from Massachusetts asks that Senate resolution 72, which has already passed the Sen-

ate, be considered in lieu of this resolution now pending, and it is passed on favorably by the House, does not that dispose of the question of the appropriation of money?

Mr. MANN. I was assuming that that proposition was the one—that we extend the invitation but that there shall be no appropriation made by Congress in regard to it.

Mr. PETERS. I will make that assurance on behalf of the chambers of commerce, that no appropriation will be asked.

Mr. FITZGERALD. I do not question the sincerity of the gentleman, but I wish to add one observation. The State Department has declined to issue such invitations heretofore unless some money was appropriated to enable the department to perform certain services which it claims were necessary. That was the way in which the \$20,000 in two appropriations was obtained for the Congress on Hygiene and Demography, out of which was paid the compensation of \$5,000 a year for the secretary of the congress. I simply wish to add that if the State Department makes a request for any money for services in connection with this proposition I shall assume that it is bound by this statement, as well as everybody else.

Mr. PETERS. The gentleman may assume that, and that no appropriation will be asked for with my approval.

Mr. BARTLETT. If the gentleman from Massachusetts will allow me, what is the purpose of having the United States Government extend an invitation?

Mr. PETERS. Because it is an international event. The chambers of commerce abroad are semiofficial bodies. The Governments extended invitations to our commercial bodies; it is essentially an international affair. They have some semi-official bodies which are cooperating to bring the delegations here. I hope the gentleman will not place any great embarrassment in the way of this legislation.

Mr. BARTLETT. Any earnest appeal by the gentleman from Massachusetts like that always meets a ready response from me, and I will not object if the gentleman will call up and pass the Senate joint resolution in lieu of the House joint resolution.

Mr. PETERS. I am about to make that request.

Mr. CANNON. Will the gentleman yield for a question?

Mr. PETERS. Certainly.

Mr. CANNON. What would the gentleman from Massachusetts think of an individual that invited another individual to bring his knitting across the sea and visit him and at the same time bring his lunch. [Laughter.]

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. PETERS. Mr. Speaker, I ask unanimous consent—

The SPEAKER. The Chair hears none.

Mr. FITZGERALD. But, Mr. Speaker, the gentleman from Massachusetts was about to ask unanimous consent that the Senate joint resolution be substituted for the House joint resolution.

The SPEAKER. The gentleman from Massachusetts was asking unanimous consent to consider the House joint resolution.

Mr. PETERS. I will put it in one request, to consider the House joint resolution and substitute the Senate joint resolution in lieu of that.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to consider the Senate joint resolution of like tenor instead of the House joint resolution. Is there objection? [After a pause.] The Chair hears none. The Senate joint resolution is on the Speaker's table, and the Clerk will report it.

The Clerk read the Senate joint resolution, as follows:

Senate joint resolution 72.

Resolved, etc., That the President of the United States be, and he is hereby, authorized and requested to extend to the Governments of the commercial nations of the world an invitation to be represented officially at the Fifth International Congress of Chambers of Commerce and Commercial and Industrial Associations, to be held in Boston, Mass., September 24 to 28, 1912.

That the Secretary of State is hereby requested to ask the Governments of the commercial nations of the world to notify the leading business organizations of their respective countries of this action by the Congress of the United States of America and suggest their co-operation.

The SPEAKER. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. PETERS, a motion to reconsider the last vote was laid on the table.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the House joint resolution lie on the table.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the House joint resolution lie on the table. Is there objection.

There was no objection.

PATENTS TO SEMINOLE ALLOTTEES.

The next business on the Calendar for Unanimous Consent was the bill H. R. 23184, directing the Secretary of the Interior to deliver patents to Seminole allottees, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby directed to forthwith deliver all patents or deeds to Seminole allottees covering their respective allotments: *Provided, however,* That the delivery of such patents or deeds shall not in any manner operate to validate any void or voidable titles or add to the weight of evidence required to avoid the same, or serve to remove restrictions that have not heretofore been removed by express act of Congress.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I reserve the right to object.

Mr. DAVENPORT. Mr. Speaker, I do not know what the gentleman reserves the right to object for, because there can be no injury done to anyone by this bill.

Mr. MANN. I thought the gentleman was going to ask to have this go over.

Mr. DAVENPORT. I want to say to the gentleman from Illinois that while he reserves the right to object, I want to understand if there is anything in the bill that he bases his objections upon; anything that he might want to object to the consideration of the bill for? I do not know whether the House will pass it or not, but if there is any valid objection, if there is anything that is not shown in the report the gentleman wants explained, then I am willing to make the explanation.

Mr. MANN. There is no reason shown yet for the passage of the bill, either by the gentleman or in the report. It is a bill that affects the administrative department of the Government, and has not been referred to the department for information or otherwise. The gentleman can not expect to pass by unanimous consent a bill which reflects directly upon the administration of the Government, without giving the administrative officers any opportunity to explain, or give information concerning it.

Mr. DAVENPORT. That is the very thing the bill does not do. It does not reflect on the department.

Mr. MANN. I think it does.

Mr. DAVENPORT. The committee investigated this matter, went over that question, and knowing that there had been some question by the department as to whether they ought to deliver the deeds before a certain court decision was delivered, they did not report the bill until after the Supreme Court rendered the decision, and said that the question of withholding the patents in no way affected the allottees of the Five Civilized Tribes.

Mr. MANN. The other day the gentleman was supporting a proposition to cut off investigations by the Interior Department by which it might make these investigations. He now proposes to have a law directing the department to issue the patents without an investigation. Possibly we begin to see why they did not want to have the money with which to make the investigation—in order that they may have a plea that they must give patents without investigation.

Mr. DAVENPORT. Oh, the gentleman from Illinois is certainly mistaken, and he surely does not want to leave the impression on the House that I at any time or under any circumstances objected to the Interior Department ever investigating patents in any of the Five Civilized Tribes, and his statement that as to what he saw with reference to my desiring to have patents delivered without investigation, is unwarranted and without foundation. I did object to an appropriation to keep a certain number of agents in the Indian Territory where they are not needed, but that appropriation had nothing to do with this bill.

Mr. MANN. We told the gentleman at that time that this money was necessary to make this investigation. The gentleman was opposed to making the appropriation of the money, saying that it was not necessary. That was what the appropriation was asked for.

Mr. DAVENPORT. It was not.

Mr. MANN. I say it was, and the gentleman says it was not.

Mr. DAVENPORT. And it never has been used for that purpose.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the bill will be stricken from the calendar.

GRANTING CERTAIN LAND TO PORTLAND, OREG.

The next business on the Calendar for Unanimous Consent was the bill (S. 5910) granting to the city of Portland, Oreg., certain strips of land from the post-office and customhouse sites in said city for street purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to grant, relinquish, and convey, by quitclaim deed, to the city of Portland, Oreg., a strip of land approximately 10 feet in width off of the Seventh Street side of the new post-office site in said city of Portland, Oreg., and extending along said Seventh Street from Hoyt to Glisan Streets, being part of the east end of lots 8, 5, 4, and 1, in block 8; and he is further authorized and directed to grant, relinquish, and convey to said city of Portland, by quitclaim deed, a strip of land approximately 10 feet in width off of the Seventh Street side of the customhouse site, in said city, and extending along said Seventh Street from Davies to Everett Streets, the Secretary of the Treasury to reserve such portion of said strip for the use of the United States as he may consider necessary for areas, steps, approaches, etc., the said strips of land to be used for street purposes only.

The SPEAKER. Is there objection?

Mr. FITZGERALD. Mr. Speaker, reserving the right to object, I would like to know why the city of Portland does not pay for this land?

Mr. HAWLEY. Mr. Speaker, the city of Portland has found it necessary to open Seventh Street more extensively than ever before on account of the increased travel on the street. They are building a large bridge across the Willamette River at the foot of this street, and in order to make the street of uniform width they desired this additional strip of land. They submitted the question of reducing the width of the Government property there to the same width as the other Government property along that street to the Secretary of the Treasury, Mr. MacVeagh. The Secretary, under date of March 29, 1912, in a letter to the senior Senator from the State, said that—

the enactment of said bill into a law would not militate against the efficiency of the buildings in question.

Mr. FITZGERALD. Why should the city not pay the United States? When the United States bought the land it paid very liberally for it. If it wished to take the property of any private citizen there, it would have to pay very liberally for it. Why should not the Government insist upon being paid now? Why should the Government donate the land to the city?

Mr. HAWLEY. The improvement of the street at the expense of the city will make the property so much more accessible and valuable to the Government that we can readily do this and still be the gainers by the transaction.

Mr. FITZGERALD. It will not make it any more valuable to the Government, because if we ever abandon it for public purposes and seek to sell it we would sell it to some citizen in Portland for an insignificant amount—

Mr. MANN. Sell it! We would give it away.

Mr. FITZGERALD. Or give it to them.

Mr. HAWLEY. The improvement of the street makes the property much more accessible—

Mr. FITZGERALD. To the citizens of Portland, Oreg.

Mr. HAWLEY. And to the Government.

Mr. FITZGERALD. I inquire about it because a few years ago the city of New York desired a little strip of land in Staten Island upon which to build a road around the light-house depot there—

Mr. MANN. Oh, the gentleman ought not to refer to that, because I am thoroughly familiar with it.

Mr. FITZGERALD. It very greatly enhanced the value of the property, and the city was permitted to do so on paying to the Federal Government about \$33,000.

Mr. MANN. The city of Brooklyn—or one of the cities over there—desired to use a large amount of ground of great value to the Government for its exclusive benefit, and the Government gave it to the city for a song. The matter went through my committee.

Mr. FITZGERALD. The gentleman is mistaken. I am thoroughly familiar with it.

Mr. MANN. And so am I.

Mr. FITZGERALD. The road was around the Government lighthouse depot, and the city of New York paid the Government \$33,000 for the land upon which the road was constructed.

Mr. MANN. For the benefit of the city.

Mr. FITZGERALD. It was of benefit not only to the people of Staten Island but equally beneficial to the Government.

Mr. MANN. That road was exclusively for the benefit of the citizens there, and it was a detriment to the Government to have it there.

Mr. FITZGERALD. The gentleman is mistaken. This street here is exclusively for the benefit of the people of Portland, Oreg.

Mr. MANN. Mr. Chairman, I would like to ask the gentleman from Oregon a question, if I may; also the gentleman from New York. We have been quite insistent upon having reports from departments upon bills of this kind reported from commit-

tees. The distinguished gentleman who presides over the Treasury Department, for whom I have very high regard, reports as follows, and this is all there is to his report:

I have the honor to inform you that if said bill is enacted into law this department will take the necessary steps to comply with the authority vested in it by said legislation.

Mr. FITZGERALD. Does not the gentleman from Illinois think that is a very great concession for an official who lives in Chicago to make to Congress? [Laughter.]

Mr. MANN. Yes; it probably looks that way to the gentleman from New York. Here is a bill directing the Secretary of the Treasury to do certain things, and when asked for a report upon the bill he says that he has the honor to inform us that if we direct him to do it he will comply with the direction. Of course he will comply with the direction. That is mandatory upon him, but what he ought to have done was to give the House some information concerning the bill.

Mr. MONDELL. He did.

Mr. MANN. He did not give a particle of information in his report upon the bill, not an iota of information. He wrote a letter to one of the Senators from Oregon that gave a little information, but precious little.

However, I shall not object to the bill if the gentleman will allow me to help correct a defect which occurred at the other end of the Capitol. I object to their grammar.

Mr. HAWLEY. With pleasure.

Mr. MANN. I notice that the bill provides for taking a strip of land 10 feet in width "off of" the Seventh Street side, and so forth. That is in the bill twice; "off of" some street. Now, it is sufficient to say "off the street," and I think that the House ought, in justice to its own dignity and standing, to correct this grammar.

Mr. HAWLEY. Will the gentleman offer the amendment he suggested?

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, I move to amend, in line 6, page 1, and in line 2, page 2, by striking out after the word "off" the word "of" in each case.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 6, strike out the word "of" after the word "off," and in line 2, page 2, strike out the word "of" after the word "off."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. LAFFERTY, a motion to reconsider the vote by which the bill was passed was laid on the table.

PATENTING OF CERTAIN LANDS TO RURAL HIGH-SCHOOL DISTRICT NO. 1, NEZ PERCE COUNTY, IDAHO.

The next business on the Calendar for Unanimous Consent was the bill (S. 4791) authorizing the patenting of certain lands to rural high-school district No. 1, of Nez Perce County, Idaho.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to cause a patent to issue to rural high-school district No. 1, of Nez Perce County, Idaho, for the use and benefit of said district, for the following-described tract of land within said county, to wit: Commencing at the southeast corner of lot No. 27, on the north boundary of Fort Lapwai Military Reservation, in section 2, township 35 north, range 4 west, Boise meridian; thence south along the west line of the Presbyterian mission reserve 300 feet; thence south 85 degrees west 726 feet; thence north 300 feet to the north boundary of the Fort Lapwai Military Reservation; thence north 85 degrees east along said military reservation boundary 726 feet, to the place of beginning, containing 5 acres, more or less: *Provided*, That Indian pupils residing within said district shall at all times be admitted to such schools as may be established on the lands granted herein on terms of equality with the white pupils: *Provided further*, That in the event the proposed school building is not completed within two years after the title has passed to the rural high-school district No. 1, the land shall revert to the United States: *And provided further*, That in the event said lands are ever abandoned and not used for educational purposes all right, title, and interest therein conveyed to the said district by this act shall be forfeited and the same shall revert to the United States.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. FRENCH. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. FRENCH, a motion to reconsider the vote by which the bill was passed was laid on the table.

GRANTING CERTAIN LANDS FOR RESERVOIR PURPOSES, TWIN FALLS, IDAHO.

The next business on the Calendar for Unanimous Consent was the bill (S. 2530) granting to the city of Twin Falls, Idaho, certain lands for reservoir purposes.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent to the authorities of the city of Twin Falls, in the State of Idaho, for reservoir purposes, in connection with the water supply of said town, for the following-described land, to wit: The south half northeast quarter and the northwest quarter southeast quarter section 6, township 12 south, range 18 east, Boise meridian, in the Halley, Idaho, land district, containing 120 acres, said patent to contain a provision that said land shall be used for reservoir purposes and in connection with the water supply for said city only; and in case said land shall cease to be used for such purposes it shall at once revert to the United States: *Provided*, That said city shall pay \$1.25 per acre therefor.

The SPEAKER. Is there objection?

Mr. CULLOP. Mr. Speaker, reserving the right to object, I would like to inquire what these lands are worth now on the market?

Mr. FRENCH. I presume that they have no value. They have been available for public entry for years. They lie many miles away from the nearest town, and, indeed, in a country that is covered with sagebrush, cactus, and juniper shrub. I regard them as really being worthless lands.

Mr. CULLOP. How far are they from any town?

Mr. FRENCH. About 18 miles from Twin Falls. There may be some small post office or hamlet nearer, but there is no considerable town nearer than Twin Falls.

Mr. CULLOP. It seems to me the price is inadequate for the land to be used for that purpose if it was anywhere near any settlement.

Mr. FRENCH. It would be, but I have no idea these lands are worth \$1.25 an acre.

Mr. CULLOP. How many acres are there?

Mr. FRENCH. One hundred and twenty acres.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. FRENCH. Mr. Speaker, this bill is on the Union Calendar, and I ask unanimous consent that it be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. FRENCH, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGES ACROSS TUG FORK OF BIG SANDY RIVER.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20593) to authorize the Norfolk & Western Railway Co. to construct sundry bridges across the Tug Fork of the Big Sandy River.

The Clerk read as follows:

Be it enacted, etc., That the Norfolk & Western Railway Co., a corporation organized under the laws of the State of Virginia, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate bridges and approaches thereto across the Tug Fork of Big Sandy River at such points where the same forms the boundary line between the States of West Virginia and Kentucky, or the boundary line between the States of West Virginia and Virginia, as may be selected by said company and approved by the Secretary of War, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the committee amendment.

The Clerk read as follows:

Amend page 1, lines 10 and 11, by striking out the words "as may be selected by said company," and insert in lieu thereof the words "at points suitable to the interests of navigation."

Mr. COVINGTON. Mr. Speaker, I desire to correct the committee amendment by striking out, in line 1, page 2, of the bill, the words "at points," and insert in lieu thereof the words "as may be."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 1, strike out the words "at points" and insert in lieu thereof the words "as may be."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion by Mr. COVINGTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

DAM ACROSS CHOCTAWHATCHEE RIVER, DALE COUNTY, ALA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 22006) authorizing the Choctawhatchee River Light & Power Co. to erect a dam across the Choctawhatchee River in Dale County, Ala.

The Clerk read as follows:

Be it enacted, etc., That the Choctawhatchee River Light & Power Co., a corporation organized under the laws of the State of Alabama, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a dam across the Choctawhatchee River, at a point suitable to the interests of navigation, at a point about one-eighth of a mile below or west of the bridge across said river, on the road known as the Newton and Ozark Public Road, in Dale County, in the State of Alabama, in accordance with the provisions of the act approved June 23, 1910, entitled "An act to amend an act entitled 'An act to regulate the construction of dams across navigable waters,' approved June 21, 1906."

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. CLAYTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. CLAYTON. And, Mr. Speaker, in that connection I would like for the name to be pronounced correctly, "Choctawhatchee," and not "Chocta-whatchee." It is a beautiful and historic Indian name, and I object to its being murdered as it was done in the reading of the bill.

BRIDGE ACROSS DELAWARE RIVER SOUTH OF TRENTON, N. J.

The next business on the Calendar for Unanimous Consent was the bill (S. 5458) to extend the time for the completion of a bridge across the Delaware River south of Trenton, N. J., by the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co. or their successors.

The Clerk read as follows:

Be it enacted, etc., That section 6 of the act approved March 16, 1906, authorizing the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co. or their successors to construct, maintain, and operate a bridge across the Delaware River between a point south of and within 1 mile of the southern boundary line of the city of Trenton, in the State of New Jersey, and a point south of and within 1 mile of the southern boundary line of the borough of Morrisville, in the county of Bucks and State of Pennsylvania, be, and the same is hereby, so amended that the time within which the said bridge shall be required to be completed shall be within five years from the date of the approval of this act: *Provided*, That the said bridge shall be built and completed in accordance with such plans as the Secretary of War and Chief of Engineers may hereafter approve, and until such approval has been given no further work of construction shall be done by the said companies.

SEC. 2. That said act as thus amended be, and the same is hereby, revived and reenacted.

Mr. COVINGTON. Mr. Speaker, I understand there is an objection—

Mr. MANN. Mr. Speaker, I reserve the right to object—

Mr. WOOD of New Jersey. Mr. Speaker, I object.

Mr. COVINGTON. Mr. Speaker, I desire to make a request before objection is made, if it should be made. I understand, after reference to the chairman of the committee, that arrangement has been made by which there will be opportunity for the persons who are opposed to this measure to be heard, and I desire to ask whether it would not be entirely satisfactory to have the bill passed without prejudice for two weeks?

Mr. WOOD of New Jersey. Mr. Speaker, I prefer to have the bill stricken from the calendar.

The SPEAKER. Does the gentleman object?

Mr. WOOD of New Jersey. I do.

JAIL BUILDING AND FIXTURES ON ABANDONED FORT ASSINIBOINE MILITARY RESERVATION IN MONTANA.

The next business on the Calendar for Unanimous Consent was the bill (S. 5817) granting to the county of Hill, in the State of Montana, the jail building and fixtures now upon the abandoned Fort Assiniboiné Military Reservation, in the State of Montana.

The Clerk read the bill, as follows:

Be it enacted, etc., That the jail building and the fixtures of said building, now situate on the abandoned Fort Assiniboiné Military Reservation, in the State of Montana, be, and the same are hereby, granted to the county of Hill, in the State of Montana, and said county, by its duly authorized officials, shall have the right to enter upon the said abandoned Fort Assiniboiné Military Reservation at any time after the passage of this act and remove said buildings and such fixtures.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, I was very much pleased a while ago on seeing a bill come in

here from the Committee on the Public Lands proposing to have a State pay something for some lands and buildings which the Government owns. Evidently that feeling did not reach as far as Montana.

Mr. PRAY. Mr. Speaker, I will state to the gentleman from Illinois that the jail on the abandoned Fort Assiniboiné Military Reservation is practically of no value as it stands—no commercial value. Hill County was created in February of this year. There is no jail there worth the name.

Mr. MANN. Well, if it is a good jail they had better buy it.

Mr. PRAY. Havre, the county seat, is 6 miles from the fort. It would be necessary to remove the building and fixtures that distance from the reservation.

Mr. MANN. We would sell it cheap.

Mr. PRAY. The county could not afford to pay anything for it if the officials were obliged to pay for the removal of the building and fixtures a distance of 6 miles.

Mr. MADDEN. Does this bill contemplate the removal of the present building to another site?

Mr. PRAY. Yes. It allows the commissioners of the county of Hill to enter upon the reservation and remove the brick building and fixtures.

Mr. MADDEN. I will say to the gentleman that it would cost more money to remove it than it is worth. I say that from experience.

Mr. PRAY. They are willing to take chances in that respect.

Mr. MANN. If the gentleman will permit me, here is a military reservation which has been abandoned. Thereupon the State asks to have the reservation, with the buildings, turned over to the State, without any expense to it, for certain school purposes, and the county asks to have one of the buildings turned over to it. Does not anybody ever think of old Uncle Sam?

Mr. PRAY. I will say to the gentleman from Illinois that I am not asking for the turning over to the State of Montana—

Mr. MANN. Not at this time—

Mr. PRAY. Of the buildings on the reservation. I know that there is a bill of that kind pending in a committee of the Senate, but it has not yet come over here. This building could properly be turned over to the county without affecting any educational institution that might be established there. An educational institution could hardly have any use for a jail.

Mr. MANN. In fact, when we grant land to a State for school purposes and it happens to be in a forest reservation, they avail of the right to exchange it, and then they sell the forest land for as high as \$10 an acre and make a profit out of the Government. Nobody ever attempts apparently, in relations between the States and the Federal Government, to protect the financial interests of the Federal Government. The States and counties think if the Government owns any land that it is not using they have the right to it. I do not. [Applause.]

Mr. PRAY. I will say to the gentleman that the Government will not lose anything by turning over the jail and fixtures to this county. It is of no use or value to the Government. There are many precedents for a measure of this kind. The gentleman knows that heretofore, on the admission of new States into the Union, Federal buildings have been turned over to the newly organized counties, and I see no reason why the same thing should not be done in this case.

Mr. MANN. I think the gentleman had better present a reasonable proposition.

Mr. PRAY. I hope the gentleman from Illinois will not object to this bill. The jail and fixtures are worth nothing where they are and could now be utilized by this new county. Even if the Government retains the jail it can get nothing out of it.

Mr. MANN. One thing is certain, and that is that the Government can not lose anything by our not passing the bill.

Mr. BUTLER. How long ago did the Government abandon this property?

Mr. PRAY. The fort was abandoned last November, and the buildings, so I am informed, are not very well taken care of. I can see no good reason why a little matter of this kind should not be allowed to pass. We have precedents for it. It has been done before a number of times.

Mr. MANN. There is full authority for the disposition of all of these lands under existing law, and I object.

The SPEAKER. The gentleman from Illinois [Mr. MANN] objects. The bill will be stricken from the calendar.

PATENTS TO ALLOTMENTS ON WHITE EARTH RESERVATION IN CERTAIN CASES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 20739) providing for the issue of patents to allotments on White Earth Reservation in certain untested cases.

The Clerk read the bill, as follows:

Be it enacted, etc., That upon the expiration of 90 days from and after the passage of this act the Secretary of the Interior shall cause to be issued fee-simple patents in the name of the allottee for any land within the White Earth Reservation, in Mahanomen, Becker, or Clearwater Counties, in the State of Minnesota, upon presentation of the certificate of the register of deeds of the county where the land is situated showing that such land has been conveyed by deed, or encumbered by way of mortgage executed by the allottee prior to January 1, 1912, and in case of the death of the allottee by his heirs at law or legal representatives; and that no notice of his pendency on behalf of the United States, or the allottee, has been filed against such land, or, if filed, that it has been discharged, which certificate shall be brought down to a date at least 90 days subsequent to the passage of this act, and when issued the Secretary of the Interior shall transmit such patents to the register of deeds of the county where the land is situated by registered mail, which shall be deemed a delivery thereof.

With the following committee amendment:

That from and after the passage of this act the status of the lands heretofore or hereafter allotted to the Chippewa Indians on the White Earth Indian Reservation, in the State of Minnesota, as regards restrictions on alienation or incumbrance, shall be as follows: All lands of adult Indians enrolled upon the rolls herein provided for as mixed bloods having no more than one-half or less than one-half Indian blood shall be free from all restrictions. All other allotted lands shall be restricted and not subject to alienation, contract to sell, power of attorney, or other incumbrance by the allottee prior to July 1, 1933, except that Indians enrolled on said rolls as of more than half and not over three-quarters Indian blood who have allotments in area exceeding 80 acres may designate in writing, executed, witnessed, and acknowledged as a deed, 80 acres as a homestead, and file the same in duplicate with the Indian agent and the register of deeds of the proper county, and after such designation all restrictions as to alienation by the allottee shall be wholly removed as to the surplus lands over and above the 80 acres so designated. The Secretary of the Interior may remove such restrictions, wholly or in part, under such rules and regulations concerning terms of sale and disposal of the proceeds for the benefit of the respective Indians as he may prescribe. The Secretary of the Interior shall not be prohibited by this act from continuing to remove restrictions as heretofore, and nothing herein shall be construed to impose restrictions heretofore removed in cases where conveyances have heretofore been made.

SEC. 2. That within six months from the date of the passage of this act a complete roll of persons to whom allotments have heretofore been made, or may hereafter be made, on the White Earth Indian Reservation, in the State of Minnesota, shall be made under the direction of the Court of Claims. Such roll shall show the allotment number or numbers, the name, age, sex, and quantum of Indian blood of each allottee, and when completed and approved by said court shall be conclusive as to the facts therein shown in so far as such facts affect or determine the right or power of such allottees to hereafter alienate, convey, or otherwise dispose of their allotted or inherited lands on said reservation: *Provided*, That where an Indian is found to have less than one-half Indian blood the exact quantum of Indian blood need not be ascertained, but such Indian shall be enrolled under the heading "Less than one-half Indian blood." And for the purpose of carrying this section into effect the sum of \$10,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

SEC. 3. That upon the expiration of six months from and after the passage of this act the Secretary of the Interior shall cause to be issued fee-simple patents in the name of the allottee for any land within the White Earth Indian Reservation, in Mahanomen, Becker, or Clearwater Counties, in the State of Minnesota, upon presentation of the certificate of the register of deeds of the county where the land is situated, showing that such land, or any interest therein, has been conveyed by warranty deed or quitclaim deed, or encumbered by way of mortgage executed by the allottee prior to January 1, 1912, and in case of the death of the allottee by his heirs at law or legal representatives; and that no notice of his pendency on behalf of the United States or the allottee has been filed against such land, or if filed that it has been discharged, which certificate shall be brought down to a date at least six months subsequent to the passage of this act, and when issued the Secretary of the Interior shall transmit such patents to the register of deeds of the county where the land is situated by registered mail, which shall be deemed a delivery thereof.

SEC. 4. That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

The SPEAKER. Is there objection?

Mr. GRAHAM. Mr. Speaker, I reserve the right to object.

The SPEAKER. The gentleman from Illinois [Mr. GRAHAM] reserves the right to object.

Mr. STEENERS. Mr. Speaker, this is a bill introduced, I believe, by the gentleman from Minnesota [Mr. STEENERS], and he can explain the bill better than I can. I yield to him.

Mr. STEENERS. Mr. Speaker, as will be observed, the original bill was what is embraced in section 3 of the substitute.

Mr. GRAHAM. Will the gentleman yield for a question or two?

Mr. STEENERS. Yes.

Mr. GRAHAM. The bill now reported is really a substitute for a former bill?

Mr. STEENERS. A substitute reported from the Committee on Indian Affairs.

Mr. GRAHAM. Has the substitute been referred to the Interior Department for a report?

Mr. STEENERS. As I understand it, the substitute is the result of a letter written by the Assistant Secretary of the Interior, by direction of the President, requesting the repeal of the so-called Clapp amendment of 1906, removing restrictions

upon alienation by adult mixed-blood Indians on White Earth Reservation.

Mr. GRAHAM. Is there any report from the Secretary of the Interior on the substitute, or on the original bill, for that matter?

Mr. STEENERS. The only communication is a letter from Assistant Secretary Adams, requesting the repeal of the Clapp amendment, and this is a partial repeal. This repeals the Clapp amendment in part. The chairman of the Committee on Indian Affairs, the gentleman from Texas [Mr. STEPHENS], introduced a bill pursuant to a letter from Assistant Secretary of the Interior, Mr. Adams, requesting the repeal of the Clapp amendment. That was brought in before the committee. I understand the subcommittee—and I am not a member of the committee—deliberated whether they would repeal the Clapp amendment in whole or in part, and the result of their deliberation was that they have in this bill repealed it in part. They could not very well reimpose restrictions upon those who had been released. Of course it will be effective as to those who become of age hereafter.

Mr. GRAHAM. But no report of the Secretary of the Interior accompanied the bill or is referred to by the committee.

Mr. STEENERS. There could be no such report, when they were acting on the initiative of the Secretary of the Interior.

Mr. CARLIN. In view of the fact that the gentleman from Illinois [Mr. GRAHAM] is going to object, I demand the regular order.

The SPEAKER. Does the gentleman from Illinois object?

Mr. GRAHAM. I reserved the right to object, subject to the explanation of the gentleman from Minnesota [Mr. STEENERS]; but I would like to ask, further, if the repeal of the Clapp Act is contained in section 4 of the amended bill?

Mr. CARLIN. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection?

Mr. GRAHAM. I object.

The SPEAKER. The bill will be stricken from the Calendar for Unanimous Consent.

MANEUVER CAMP NEAR ANNISTON, ALA.

The next business on the Calendar for Unanimous Consent was House joint resolution 322, authorizing the Secretary of War to accept the title to 4,000 acres of land in the vicinity of Anniston, in the State of Alabama, which certain citizens have offered to donate to the United States for the purpose of establishing a maneuver camp and for the maneuvering of troops, establishing and maintaining camps of instruction, for rifle and artillery ranges, and for mobilization and assembling of troops from the group of States composed of Kentucky, Tennessee, Mississippi, Alabama, Georgia, Florida, North Carolina, and South Carolina.

The joint resolution was read.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object—

Mr. BLACKMON. Mr. Speaker, I ask unanimous consent that this resolution be passed without prejudice.

The SPEAKER. The gentleman from Alabama asks that this resolution be passed without prejudice. Is there objection?

There was no objection.

ZUNI NATIONAL FOREST.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 2875) to provide for the exchange of national forest timber in New Mexico for private lands lying within the exterior limits of the Zuni National Forest.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of Agriculture, for the purpose of increasing the area of the timberland included within the Zuni National Forest by the addition thereto of certain privately owned timberland lying within the exterior limits of the said national forest, be, and the same is hereby, authorized and empowered, in his discretion, in behalf of the United States, to enter and to consummate contracts for the exchange of timber on any national forest in New Mexico for privately owned timberlands embracing in the odd-numbered sections of township 11 north, range 12 west, New Mexico principal meridian, which are now within the exterior limits of the Zuni National Forest, New Mexico: *Provided*, That such exchange shall be made under the following conditions: The saw timber on such private lands shall be exchanged for the saw timber on such national forest lands, thousand feet for thousand feet; cordwood and posts from piñon and cedar on such private lands shall, after estimate and appraisal by forest officers, be exchanged for an equivalent value of national forest timber at an appraisal of not less than \$2.50 per thousand feet board measure; and the privately owned land at a valuation of not more than 62½ cents per acre shall be exchanged for an equivalent value of national forest timber at an appraisal of not less than \$2.50 per thousand feet board measure: *Provided further*, That the national forest timber to be so exchanged shall be cut under the rules and regulations promulgated by the Secretary of Agriculture for the cutting of timber on the national forests, and that the time within which such timber shall be removed shall be determined by the said Secretary of Agriculture: *And provided further*, That upon the consummation of

such exchange the land deeded to the United States thereunder shall forthwith become and thereafter continue to be national forest land to all intents and purposes as if such land had been duly withdrawn by the proclamation which placed the contiguous land under the jurisdiction of the Secretary of Agriculture for forest purposes.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, this bill proposes to make an exchange of timber for timber and timberlands. It looks to me like a reasonable proposition. As I understand, the proposition is to exchange timber which the Government now has within the Pecos National Forest. The bill provides for the exchange of timber on any national forest in New Mexico. Would the gentleman be willing to agree to an amendment, on page 1, line 10, to strike out the words "on any" and insert the words "within the Pecos," so as to confine the matter of exchange to timber within the Pecos National Forest?

Mr. FERGUSON. Yes. I understand the object is to exchange the timber in the Pecos National Forest for timber and lands within the exterior limits of the Zuni National Forest. The land within the Zuni National Forest is railroad land, the Government having the alternate sections. The object of this bill from the Government standpoint is to permit the exchange of the timber on the Pecos National Forest for this railroad-owned land that has been bought by a private party, so that the Zuni National Forest may be consolidated. At both ends it is for the interest of the Government.

Mr. MANN. And, as I understand, for the further reason that the timber in both forests is ripe.

Mr. FERGUSON. Yes.

Mr. MANN. Unless it is cut now, it probably could not be sold advantageously for a good while to come.

Mr. FERGUSON. That is especially true of the Pecos Reserve, for this reason: It is away up in the mountains. The dead and fallen timber on the Pecos Reserve can be exchanged now for this land and timber on the Zuni Forest, because just north of the Pecos Forest is a private Mexican land grant which is owned by private parties, on which they have a mill now sawing ties. They have also a method of getting the ties out by floating them down the Rio Grande, at a good deal of expense. If that mill goes away before this exchange is consummated, then the Government will have great difficulty in getting rid of the dead and fallen timber, and, of course, in removing the danger from forest fires.

The SPEAKER. Is there objection?

There was no objection.

Mr. FERGUSON. Mr. Speaker, I ask unanimous consent to consider this bill in the House as in the Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, I move to amend, on page 1, line 10, by striking out the words "on any" and inserting the words "within the Pecos."

The SPEAKER. The question will first be taken on the committee amendments. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 1, line 9, strike out the words "enter and to consummate contracts for the."

The amendment was agreed to.

The Clerk read the next committee amendment, as follows:

Page 1, line 10, strike out the word "of" after the word "exchange."

The amendment was agreed to.

The Clerk read the next committee amendment, as follows:

Page 2, line 17, after the word "measure," insert the following: "Provided, That the Attorney General of the United States shall first pass upon the title of the privately owned land to be exchanged under the provisions of this bill."

The amendment was agreed to.

The Clerk read the next committee amendment, as follows:

Page 3, lines 1 and 2, strike out the words "upon the consummation of such exchange."

The amendment was agreed to.

The Clerk read the next committee amendment, as follows:

Page 3, line 3, strike out the word "thereunder" and insert the words "under the provisions of this act."

The amendment was agreed to.

The Clerk read the next committee amendment, as follows:

Strike out the language in lines 4 to 8, inclusive, reading as follows: "and thereafter continue to be national forest land to all intents and purposes as if such land had been duly withdrawn by the proclamation which placed the contiguous land under the jurisdiction of the Secretary of Agriculture for forest purposes," and insert in lieu thereof the words "a part of the Zuni National Forest."

The committee amendment was agreed to.

The SPEAKER. The Clerk will now report the amendment offered by the gentleman from Illinois [Mr. MANN].

The Clerk read as follows:

Page 1, line 10, strike out the words "on any" and insert in lieu thereof the words "within the Pecos."

The amendment was agreed to.

The amended bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FERGUSON, a motion to reconsider the last vote was laid on the table.

AMERICAN ACADEMY IN ROME.

The next business on the Calendar for Unanimous Consent was the bill (S. 125) to permit the American Academy in Rome to enlarge its purposes, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the American Academy in Rome incorporated by the act of Congress approved March 3, 1905, may by a resolution of its board of trustees enlarge its purposes so as to include the study and investigation of the archeology, literature, and history of the classical and later periods; and that the said corporation may take and hold real and personal property to an amount not exceeding \$3,000,000.

The SPEAKER. Is there objection?

Mr. MADDEN. Mr. Speaker, I reserve the right to object.

Mr. SLAYDEN. Mr. Speaker, this bill proposes to amend the charter granted by Congress in March, 1905, to the American Academy in Rome, which is a corporation that has for its purpose the training of American students in the art of painting, sculpture, and architecture, as well as in the study of archeology.

Mr. MADDEN. Let me ask the gentleman, does this bill authorize the ownership of real estate in this country to the extent of \$3,000,000?

Mr. SLAYDEN. I must confess that I never read the charter granted in 1905. I dare say I was in the House and ought to be familiar with it, but I am not. Their office is in Washington, but the academy is in Rome. It had endowments given it shortly after the charter was granted amounting approximately to \$500,000. Then Mr. McKim, the New York architect, made them a considerable bequest, and other subscriptions were given them that brought it up to somewhat more than they were authorized to hold. Within the last few months a lady residing in Rome has willed to the academy her villa, estimated to be worth between \$200,000 and \$300,000. They can not receive it and hold it under the charter, because it will carry the value of their holdings above the legal limit.

Mr. MADDEN. This provision in the bill which authorizes them to acquire real estate to the value of \$3,000,000 is to enable them to take this title, is it?

Mr. SLAYDEN. Title to that property and other bequests that may be made. It is proposed by the friends of the late Frank Millet, whom many Members of the House knew as a great artist and a thoroughly high-class American citizen, to raise a fund of \$100,000 as a memorial to him. He lost his life, as Members may remember, on the *Titanic*. The income from these endowments is expended in the way of scholarships for American students, to support the poor young men while studying art in Rome. That is the sole purpose of the endowment. This institution can not accept what is to be given it unless the charter is amended in the way proposed.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. SLAYDEN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

RESIGNATION FROM THE JUDICIARY COMMITTEE.

The SPEAKER. The Chair desires to lay before the House a matter of routine business.

The Clerk read as follows:

WASHINGTON, D. C., June 3, 1912.

Hon. CHAMP CLARK,
Speaker House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: I hereby resign as a member of the Committee on the Judiciary.

Yours, very respectfully,

ROBERT L. HENRY.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

LEAVE OF ABSENCE.

Mr. WICKLIFFE, by unanimous consent, was given leave of absence for 10 days, on account of important business.

SALE OF LAND IN FOREST GROVE, OREG.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 18504) to provide for the sale of fractional

block No. 6, in the town of Forest Grove, Oreg., no longer needed for school purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to sell, under such rules and regulations as he may prescribe, and to convey by patent in fee simple to the purchaser the fractional block No. 6, as designated and numbered on the recorded plat of Naylor's addition to the town of Forest Grove, Oreg.: *Provided*, That N. R. Wells, who has been occupying the tract, be permitted to remove the improvements made thereon by him and his family prior to the date fixed for the sale hereunder, and that the proceeds of sale be used for the benefit of the Salem Indian School.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman whether the department has not now authority under existing law to sell the land?

Mr. HAWLEY. It has the authority to sell the land, but is not authorized to make the arrangement with Mr. Wells, which fair play seems to indicate.

Mr. MANN. What element of fair play is it which seems to indicate that where the Government owns a piece of property and a man deliberately moves a building upon it without any authority whatever the Government shall sell him the land in order to carry out a fair-play proposition?

Mr. HAWLEY. This land was originally purchased by the Government for the purpose of establishing and maintaining an Indian school.

Mr. MANN. And was used for that purpose.

Mr. HAWLEY. For one year. The school was then moved to Salem, Oreg. When they removed the school they had some buildings on the land, and in order to care for what property they had on the premises they requested Mr. Wells to act as caretaker and gave him authority to move this building on the land. He has remained there and cared for the buildings of the Government during that time. The Government having no use for the land, desires to sell it, and the city desires to have the land subject to taxation, and so this proposition is made. Since the Government allowed him to move the building upon the land he has cared for all of the property without compensation, and it seems to me he ought to have the privilege of removing the building, that is less than \$300 in value.

Mr. MANN. I do not find anywhere in the report that the Government permitted this man to move his building onto this land. My friend from Oregon says since the man has taken care of the lot for all these years, therefore we ought to do something for him. What is the fact? This was a vacant lot; it did not require or need to be taken care of. The man moved his house onto it, did not have to pay rent, did not pay taxes, did not pay anything, got the use of it for nothing, and then supposes that we ought to pay him for taking care of the lot which would have taken care of itself.

Mr. CARLIN. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Virginia demands the regular order. The regular order is, Is there objection?

Mr. MANN. Mr. Speaker, I reserve the right to object. Is the gentleman from Virginia going to insist upon my declaring now whether I object or not?

Mr. CARLIN. Mr. Speaker, if the gentleman intends to object, I shall insist upon the regular order; if he does not intend to object, I shall let him go on as long as he desires.

Mr. MANN. I shall not declare my intentions until I know what the gentleman from Virginia is going to do.

Mr. CARLIN. Then, Mr. Speaker, I demand the regular order.

Mr. MANN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present. Evidently there is not a quorum present.

ADJOURNMENT.

Mr. HARDWICK. Mr. Speaker, I move that the House do now adjourn.

Mr. HAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock p. m.) the House adjourned until to-morrow, Tuesday, June 4, 1912, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting a communication from the Acting Secretary of Agriculture submitting an estimate of reappropriation for inclusion in the general deficiency bill (H. Doc. No. 783); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Department of Commerce and Labor, giving views on H. R. 21220, in response to inquiry of the chairman of the Committee on Immigration and Naturalization (H. Doc. No. 784); to the Committee on Immigration and Naturalization and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting communication from the Secretary of the Interior for reappropriation in sundry civil bill for examinations into the water supply of San Francisco (H. Doc. No. 785); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting communication from the Secretary of the Interior submitting an estimate of appropriation for the acquisition of lands for the enlargement of the Capitol grounds (H. Doc. No. 786); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of Commerce and Labor submitting estimate of appropriation to replace the lighthouse tender *Armeria* (H. Doc. No. 787); to the Committee on Appropriations and ordered to be printed.

6. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Joseph Fornance, executor of the estate of James Fornance, deceased, *v. The United States* (H. Doc. No. 788); to the Committee on War Claims and ordered to be printed.

7. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Hamilton Trust Co., of Brooklyn, N. Y., executor of Loomis Lyman Langdon, deceased, *v. The United States* (H. Doc. No. 793); to the Committee on War Claims and ordered to be printed.

8. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Clifford H. Frost and Frank B. McAllister, trustees under the will of the estate of Zealous B. Tower, deceased, *v. The United States* (H. Doc. No. 790); to the Committee on War Claims and ordered to be printed.

9. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Martha R. Hitchcock, widow and executrix of Ethan Allen Hitchcock, deceased, *v. The United States* (H. Doc. No. 791); to the Committee on War Claims and ordered to be printed.

10. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Oliver D. Greene, administrator of the estate of Oliver D. Greene, deceased, *v. The United States* (H. Doc. No. 792); to the Committee on War Claims and ordered to be printed.

11. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of the Union Trust Co., administrator of estate of Thomas Murray Tolman, deceased, *v. The United States* (H. Doc. No. 789); to the Committee on War Claims and ordered to be printed.

12. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Louis J. Garesché, administrator of J. P. Garesché, deceased, *v. The United States* (H. Doc. No. 794); to the Committee on War Claims and ordered to be printed.

13. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Frank H. Phipps *v. The United States* (H. Doc. No. 795); to the Committee on War Claims and ordered to be printed.

14. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of James W. Scully *v. The United States* (H. Doc. No. 796); to the Committee on War Claims and ordered to be printed.

15. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Benjamin D. Critchlow *v. The United States* (H. Doc. No. 797); to the Committee on War Claims and ordered to be printed.

16. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of George Lemuel Turner *v. The United States* (H. Doc. No. 799); to the Committee on War Claims and ordered to be printed.

17. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Maria T. Knox, administrator of George T. Balch, deceased, *v. The United States* (H. Doc. No. 798); to the Committee on War Claims and ordered to be printed.

18. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case

of J. Nelson Caldwell, administrator of the estate of J. N. Caldwell, deceased, *v. The United States* (H. Doc. No. 800); to the Committee on War Claims and ordered to be printed.

19. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Henry Catley *v. The United States* (H. Doc. No. 801); to the Committee on War Claims and ordered to be printed.

20. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of George H. Chadeayne, ancillary executor of Joseph H. McArthur, deceased, *v. The United States* (H. Doc. No. 802); to the Committee on War Claims and ordered to be printed.

21. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Simon Lyon, administrator of the estate of John A. Campbell, deceased, *v. The United States* (H. Doc. No. 803); to the Committee on War Claims and ordered to be printed.

22. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of John M. Wilson *v. The United States* (H. Doc. No. 804); to the Committee on War Claims and ordered to be printed.

23. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Isabella H. Silvey, widow of William Silvey, deceased, *v. The United States* (H. Doc. No. 805); to the Committee on War Claims and ordered to be printed.

24. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Lizzie F. Remington, executrix of Philip Halsey Remington, deceased, *v. The United States* (H. Doc. No. 806); to the Committee on War Claims and ordered to be printed.

25. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of William L. Marshall *v. The United States* (H. Doc. No. 807); to the Committee on War Claims and ordered to be printed.

26. A letter from the Secretary of War, transmitting copy of House Document No. 1110, Sixty-first Congress, third session, regarding an abandoned cemetery in Bucks County, Pa., known as the China or White Hall Cemetery (H. Doc. No. 808); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. HARDY, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (S. 4445) concerning unriggered vessels, reported the same with amendment, accompanied by a report (No. 823), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House as follows:

Mr. SHERWOOD, from the Committee on Invalid Pensions, to which was referred the bill (S. 6977) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, reported the same without amendment, accompanied by a report (No. 822), which said bill and report were referred to the Private Calendar.

Mr. HARRISON of New York, from the Committee on Ways and Means, to which was referred the bill (H. R. 20124) for the relief of E. Rosenwald & Bro., reported the same without amendment, accompanied by a report (No. 824), which said bill and report were referred to the Private Calendar.

Mr. WITHERSPOON, from the Committee on Naval Affairs, to which was referred the bill (H. R. 14593) authorizing the President to reinstate Charles Lewis Clifford as a midshipman in the United States Naval Academy, reported the same without amendment, accompanied by a report (No. 825), which said bill and report were referred to the Private Calendar.

Mr. DICKINSON, from the Committee on Claims, to which was referred House bill 15207, reported in lieu thereof a resolution (H. Res. 567) referring to the Court of Claims the papers in the case of L. D. Hildebrand, administrator of the estate of John W. Hildebrand, accompanied by a report (No. 827), which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 17123, reported in lieu thereof a resolution (H. Res.

568) referring to the Court of Claims the papers in the case of Fred Fox, jr., accompanied by a report (No. 828), which said resolution and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RUSSELL: A bill (H. R. 25065) to extend the provisions of the pension act of May 11, 1912, to the officers and enlisted men of all State militia and other State organizations that rendered service to the Union cause during the Civil War for a period of 90 days or more, and providing pensions for their widows, minor children, and dependent parents, and for other purposes; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 25066) to extend the provisions of the pension act of May 11, 1912, to the officers and enlisted men of all State militia and other State organizations that rendered service to the Union cause during the Civil War for a period of 90 days or more, and providing pensions for their widows, minor children, and dependent parents, and for other purposes; to the Committee on Invalid Pensions.

By Mr. CARTER: A bill (H. R. 25067) providing for the sale of restricted surplus allotments of the Choctaw and Chickasaw Tribes of Indians in Oklahoma; to the Committee on Indian Affairs.

Also (by request), a bill (H. R. 25068) providing for the sale of restricted surplus allotments of the Choctaw and Chickasaw Tribes of Indians in Oklahoma; to the Committee on Indian Affairs.

By Mr. FITZGERALD: A bill (H. R. 25069) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1913, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. RUSSELL: A bill (H. R. 25070) for the acquisition of a site and the erection of a building thereon at Sikeston, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 25071) for the acquisition of a site and the erection of a building thereon at West Plains, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. DENT: A bill (H. R. 25072) to establish a subport of entry and delivery at Montgomery, in the State of Alabama; to the Committee on Ways and Means.

By Mr. MCKINNEY: A bill (H. R. 25073) to authorize the construction of a bridge across the Mississippi River between Moline, Ill., and Bettendorf, Iowa; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Kentucky: A bill (H. R. 25074) to accept a deed of gift or conveyance from the Lincoln Farm Association, a corporation, to the United States of America of land near the town of Hodgenville, county of Larue, State of Kentucky, embracing the homestead of Abraham Lincoln and the log cabin in which he was born, together with the memorial hall inclosing the same, and, further, to accept an assignment or transfer of an endowment fund of \$50,000 in relation thereto; to the Committee on the Library.

By Mr. COPLEY: A bill (H. R. 25075) making an appropriation for the improvement of Fox River, Ill.; to the Committee on Rivers and Harbors.

By Mr. ALEXANDER: A bill (H. R. 25076) to promote the safety of ocean navigation; to the Committee on the Merchant Marine and Fisheries.

By Mr. LLOYD: A bill (H. R. 25077) providing for the purchase of a site and the erection thereon of a public building at Unionville, in the State of Missouri; to the Committee on Public Buildings and Grounds.

By Mr. HAYES: A bill (H. R. 25078) for the protection of fraternities; to the Committee on the Judiciary.

By Mr. GUERNSEY: A bill (H. R. 25079) for the establishment of a national park and acquiring national forests in the Mount Katahdin region of the State of Maine; to the Committee on Agriculture.

By Mr. LINDBERGH: Resolution (H. Res. 564) providing for the appointment of a committee to investigate the personal conditions and the property rights of the Mississippi Chippewa Indians; to the Committee on Rules.

By Mr. BELL of Georgia: Resolution (H. Res. 565) to pay Charles L. Williams and Marshall Pickering, special messengers, \$1,200 per annum each; to the Committee on Accounts.

By Mr. AKIN of New York: Resolution (H. Res. 566) authorizing the appointment of a committee to investigate the conduct of the Assistant Attorney General of the Post Office Department in withholding mail matter of a Member of the House of Representatives; to the Committee on Rules.

By Mr. DICKINSON: Resolution (H. Res. 567) referring the bill (H. R. 15207) for the relief of L. D. Hildebrand, adminis-

trator of the estate of John W. Hildebrand, deceased, to the Court of Claims; to the Committee of the Whole House.

Also, resolution (H. Res. 568) referring the bill (H. R. 17123) for the relief of Fred Fox, Jr., to the Court of Claims; to the Committee of the Whole House.

By Mr. CULLOP: Joint resolution (H. J. Res. 324) proposing an amendment to the Constitution of the United States providing for the election of all public officers by the qualified electors of the several States and the respective districts thereof, other than the members of the President's Cabinet, ambassadors, ministers plenipotentiary, and consuls, and fixing their terms of office; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. LEWIS: A bill (H. R. 25064) for the relief of the vestry of St. Peter's Parish, in Montgomery County, Md., a corporation; to the Committee on War Claims.

By Mr. CARTER: A bill (H. R. 25080) granting an increase of pension to Ellie A. Hill; to the Committee on Invalid Pensions.

By Mr. COPLEY: A bill (H. R. 25081) granting a pension to Alberta W. K. Brown; to the Committee on Invalid Pensions.

By Mr. CURLEY: A bill (H. R. 25082) granting a pension to James Kelley; to the Committee on Invalid Pensions.

By Mr. DANIEL A. DRISCOLL: A bill (H. R. 25083) granting a pension to Oscar W. Davis; to the Committee on Invalid Pensions.

By Mr. GOULD: A bill (H. R. 25084) granting a pension to Lurena A. White; to the Committee on Pensions.

By Mr. GRAY: A bill (H. R. 25085) granting an increase of pension to Thomas Clark; to the Committee on Invalid Pensions.

By Mr. HAMILTON of West Virginia: A bill (H. R. 25086) granting a pension to Samuel F. Webb; to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 25087) granting a pension to Frazier Ward; to the Committee on Pensions.

By Mr. LEE of Pennsylvania: A bill (H. R. 25088) granting an increase of pension to Patrick F. Heenan; to the Committee on Pensions.

By Mr. McDERMOTT: A bill (H. R. 25089) granting a pension to Joseph Mulholland; to the Committee on Pensions.

Also, a bill (H. R. 25090) granting a pension to Edward A. Mueller; to the Committee on Pensions.

By Mr. McKINLEY: A bill (H. R. 25091) granting an increase of pension to Thomas Campbell; to the Committee on Invalid Pensions.

By Mr. MALBY: A bill (H. R. 25092) granting a pension to Augustus B. P. Palmer; to the Committee on Pensions.

By Mr. NEELEY: A bill (H. R. 25093) granting an increase of pension to Anderson R. Dodge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 25094) to remove the charge of desertion from the record of William T. Adams; to the Committee on Military Affairs.

Also, a bill (H. R. 25095) authorizing the issuance of a patent to the NW. $\frac{1}{4}$ sec. 27, T. 17 S., R. 40 W., Dodge City (Kans.) land district, to George H. Lowrey; to the Committee on the Public Lands.

By Mr. PARRAN: A bill (H. R. 25096) granting a pension to Geneva Harrison Eakle; to the Committee on Pensions.

By Mr. PEPPER: A bill (H. R. 25097) granting a pension to Susan F. Nelson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 25098) granting a pension to Albert S. Allen; to the Committee on Pensions.

By Mr. SPEER: A bill (H. R. 25099) granting a pension to Bell B. Orr; to the Committee on Invalid Pensions.

By Mr. THISTLEWOOD: A bill (H. R. 25100) granting an increase of pension to Thomas F. Gher; to the Committee on Pensions.

By Mr. WHITE: A bill (H. R. 25101) granting an increase of pension to Albert Foraker; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petitions of S. & Stan Kostka, No. 440, Chicago, Ill.; St. Joseph Society, No. 25, Erie, Pa.; St. Stanislaus M. B., No. 244, Philadelphia, Pa.; Polish, Ruthenian, and Lithuanian American citizens, Scranton, Pa.; Workmen's Sick and Death Benefit Fund of the United States of America; Latt Albet Surajdy Society, No. 74, Manistee,

Mich.; and A. Hamsans Society, No. 21, Alpena, protesting against passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. BARTHOLDT: Petition of the American Association of Masters and Pilots, of St. Louis, favoring passage of House bill 23676; to the Committee on the Merchant Marine and Fisheries.

Also, petition of Lodge No. 21, Firemen and Enginemen, of St. Louis, Mo., protesting against the workmen's compensation bill; to the Committee on the Judiciary.

Also, petition of 37 citizens of St. Louis, Mo., protesting against increase of postage on second-class mail; to the Committee on the Post Office and Post Roads.

By Mr. CALDER: Petition of the Daughters of Liberty, Brooklyn, N. Y., favoring passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Labor Council of Greater New York, N. Y., protesting against the passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of Dr. M. Spiegel & Sons, Albany, N. Y., protesting against the passage of the Richardson drug bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Chamber of Commerce and the Nineteen hundred and twenty Club, Augusta, Ga., favoring investigation of the fire insurance companies; to the Committee on Interstate and Foreign Commerce.

Also, petition of Theodore Metzeler, New York, protesting against any change in the present patent laws that would affect price maintenance; to the Committee on Patents.

Also, petition of O. H. A. Milham, Brooklyn, N. Y., protesting against bill exempting labor unions from the Sherman anti-trust law; to the Committee on the Judiciary.

By Mr. COPLEY: Petition of citizens of the eleventh congressional district of Illinois, against passage of a parcel-post system; to the Committee on the Post Office and Post Roads.

Also, petitions of citizens of the eleventh congressional district of Illinois, favoring Government regulation of express companies; to the Committee on Interstate and Foreign Commerce.

Also, petitions of citizens of Joliet, State of Illinois, against passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. CURLEY: Resolutions of Boston Typographical Union, of Boston, Mass., against the lowering of the coinage unit; to the Committee on Banking and Currency.

Also, petition of the United States Civil Service Retirement Association, against passage of the five-year tenure of office clause in House bill 24023; to the Committee on Appropriations.

Also, resolutions of the Manila Merchants' Association, of Manila, P. I., favoring sale of the Philippine friar lands; to the Committee on Insular Affairs.

Also, resolution of Chicago citizens, against passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

Also, resolutions of the Associated Charities of Boston, Mass., and the State Council of Pennsylvania, Order of Independent Americans, favoring passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

By Mr. DIFENDERFER: Petition of State Council of Pennsylvania, Order of Independent Americans, favoring passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. DRAPER: Petition of State Council of Pennsylvania, Order of Independent Americans, Philadelphia, Pa., favoring passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Manila Merchants' Association, protesting against further sale of the Philippine friar lands; to the Committee on Insular Affairs.

By Mr. DANIEL A. DRISCOLL: Petition of Niagara Lodge, No. 148, and United States Grand Lodge, Order B'rith Abraham, Buffalo, N. Y., protesting against passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. DYER: Petition of American Exporter, of New York, favoring passage of House bill 20044, for the improvement of the foreign service; to the Committee on Foreign Affairs.

Also, petition of the Manila Merchants' Association, of Manila, P. I., against sale of the Philippine friar lands; to the Committee on Insular Affairs.

Also, petition of the State Council of Pennsylvania, Order of Independent Americans, favoring passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Medical Department of the Alumni Association of St. Louis University, favoring passage of the Owen bill (H. R. 11724); to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany bill for the relief of Patrick Burke; to the Committee on Invalid Pensions.

By Mr. ESCH: Petition of State Council of Pennsylvania, Order of Independent Americans, Philadelphia, Pa., favoring passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Manila Merchants' Association, protesting against sale of the Philippine friar lands; to the Committee on Insular Affairs.

By Mr. FULLER: Petition of the American Vigilance Association favoring passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of members of Swedish Baptist Church, Rockford, Ill., favoring passage of the Kenyon-Sheppard Interstate Liquor bill; to the Committee on the Judiciary.

Also, petition of Jerome Romme, San Antonio, Tex., and Oscar Dunlap, South Bend, Wash., favoring passage of House bill 1339 for increase of pension to veterans who lost an arm or leg in the Civil War; to the Committee on Invalid Pensions.

Also petition of the Rockford Manufacturing and Shippers' Association, Rockford, Ill., favoring passage of Senate bill 6810, relating to bills of lading in commerce with foreign nations and among the several States; to the Committee on Interstate and Foreign Commerce.

By Mr. GOLDFOGLE: Resolutions of First Bohorschaner Lodge, No. 463, and Eolvos Lodge, No. 4, Independent Order B'rith Abraham, of New York City, against passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

Also, resolutions of the Los Angeles Chamber of Commerce, Los Angeles, Cal.; the New York State Chamber of Commerce; the board of trustees of the Toledo Chamber of Commerce, of Toledo, Ohio; and the Merchants' Exchange of St. Louis, Mo., favoring provision for mental examination of immigrants; to the Committee on Immigration and Naturalization.

Also, resolution of the National Lumber Manufacturers' Association, relative to control of floods in the Mississippi River and its tributaries and immediate relief; to the Committee on Rivers and Harbors.

Also, petition of the Retail Cutlery Association of New York and vicinity, against use of trading stamps and coupons; to the Committee on Ways and Means.

Also, petition of the Wisner Manufacturing Co., of New York City, N. Y., favoring lowering of letter postage; to the Committee on the Post Office and Post Roads.

Also, petition of the Committee of Wholesale Grocers, of New York City, N. Y., favoring reduction of duty on raw and refined sugars; to the Committee on Ways and Means.

Also, petition of John G. Klein & Co., of New York City, against passage of the Oldfield bill, proposing change in patent laws; to the Committee on Patents.

Also, petition of William Rahr Sons & Co., of Manitowoc, Wis., favoring passage of House bill 17222, relative to shipping unweaned calves; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Long Island Game Protective Association, of New York City, favoring passage of the McLean-Weeks bill (S. 6497) for Federal protection of migratory birds; to the Committee on Agriculture.

By Mr. GOULD: Petition of citizens of Bar Harbor, favoring passage of House bill 19133, creating a postal-express system; to the Committee on the Post Office and Post Roads.

By Mr. HAYES: Petition of R. E. Butler, A. W. Sclewcler, and A. H. Nudgley, San Francisco, Cal., relative to the passage of the Stephens-Gould net-weight bill; to the Committee on Interstate and Foreign Commerce.

By Mr. KAHN: Petition of Martha Washington Council, No. 2, and other members of Daughters of Liberty, San Francisco, Cal., and of the Immigration Restriction League, Boston, Mass., favoring passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of Rosenblatt Co., San Francisco, Cal., protesting against passage of the Works bill relative to establishment of a license law for the District of Columbia; to the Committee on the District of Columbia.

Also, petition of the Waterhouse & Lester Co., San Francisco, Cal., protesting against any change in the patent laws that might affect price maintenance; to the Committee on Patents.

By Mr. KINKEAD of New Jersey: Petition of the Board of Trade of Newark, N. J., favoring continuance of the Efficiency

Commission in the administration of the Federal Government; to the Committee on Appropriations.

By Mr. LEVY: Petition of Joseph Isaacs, of New York City, against passage of bills proposing change in present patent law; to the Committee on Patents.

Also, petitions of the Prospect Heights Citizens' Association and the Manufacturers' Association, of Brooklyn, N. Y., favoring passage of the Page bill, known as the vocational education bill; to the Committee on Agriculture.

By Mr. LINDSAY: Petition of the American Exporter, New York, relative to the improvement of the United States Consular and Diplomatic Service; to the Committee on Foreign Affairs.

Also, petition of the Manila Merchants' Association, protesting against the sale of the Philippine friar lands; to the Committee on Insular Affairs.

Also, petition of State Council of Pennsylvania, Order of Independent Americans, Philadelphia, Pa., favoring passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. MALBY: Resolution of Joel Lodge, No. 118, Independent Order B'nai B'rith, of Plattsburg, N. Y., against passage of Senate bill 3175 and House bill 22517; to the Committee on Immigration and Naturalization.

By Mr. MCCOY: Petition of Brass Workers Local Union, No. 189, Newark, N. J., favoring the prohibiting of the use of the stop-watch system; to the Committee on Labor.

Also, petition of the United States Civil Service Retirement Association, Newark, N. J., favoring pensioning all Government employees who have served for 30 years or more; to the Committee on Reform in the Civil Service.

Also, petition of the National Jeweler's Board of Trade, New York, protesting against any legislation that would affect price maintenance; to the Committee on Patents.

Also, petition of New Jersey Lodge, No. 38, Independent Order B'rith Abraham, Newark, N. J., protesting against passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Brotherhood of Locomotive Engineers, Harrisburg, Pa., and General Putnam Council, No. 137, Junior Order United American Mechanics, favoring passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Brotherhood of American Yeoman, Des Moines, Iowa, relative to the Dodds amendment to an appropriation bill; to the Committee on the Post Office and Post Roads.

Also, petition of the Southern Sociological Congress, Nashville, Tenn., favoring passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. MOTT: Resolutions of State Council of Pennsylvania, Order of Independent Americans, favoring passage of the Dillingham bill, restricting immigration; to the Committee on Immigration and Naturalization.

Also, resolutions of the Manila Merchants' Association, of Manila, P. I., favoring the sale of the friar lands; to the Committee on Insular Affairs.

Also, petition of the Hannibal (N. Y.) Board of Education, favoring passage of bill relative to agricultural school; to the Committee on Agriculture.

Also, resolutions of the United States Civil Service Association, against the five-year tenure of office for Government employees; to the Committee on Appropriations.

By Mr. PARRAN: Petition of 29 citizens, members of Patapsco Council, No. 58, Junior Order United American Mechanics, favoring passage of bills providing for restrictions of immigration and the illiteracy test; to the Committee on Immigration and Naturalization.

Also, petition of 23 citizens of Hughesville, Charles County, Md., members of the Society of Friends, against passage of the Warren bill, to promote rifle practice in the public schools of the United States; to the Committee on Military Affairs.

By Mr. REYBURN: Petition of State Council of Pennsylvania, Order Independent Americans, Philadelphia, Pa., favoring passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. REILLY: Petition of State council of Pennsylvania, Order Independent Americans, Philadelphia, Pa., favoring passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. SCULLY: Petitions of Atlantic Council, No. 154, Junior Order United American Mechanics, Point Pleasant, N. J.; the Brotherhood of Locomotive Engineers at Harrisburg, Pa.; the Daughters of Liberty of Ridgefield, South Amboy, and Asbury Park, N. J.; and the Immigration Restriction League, favoring passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

Also, petition of the National Civil Service Reform League, against section 5 of the legislative, executive, and judicial appropriation bill (H. R. 24023), against the five-year tenure of office; to the Committee on Appropriations.

Also, resolutions of the Richmond Chamber of Commerce, of Richmond, Va., and the New Jersey bankers, favoring sound banking and currency reform; to the Committee on Banking and Currency.

Also, petition of the Atlantic City Turnverein, of Atlantic City, N. J., against passage of interstate liquor bills; to the Committee on the Judiciary.

Also, petition of the American Mining Congress, favoring passage of House bill 17200, providing a new organic act for the Bureau of Mines; to the Committee on Mines and Mining.

Also, petition of the American Association of Foreign Language Newspapers, of New York, against passage of the Brown-Oldfield bills, proposing change in patent laws; to the Committee on Patents.

By Mr. SULZER: Petition of the Central Federated Union, New York, favoring increase of the scale of wages in the Government Printing Department; to the Committee on Appropriations.

Also, petition of the Advertising Men's League (Inc.) of New York City, favoring the printing of a national directory of commercial organizations of the United States; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Stern-Katzenstein Co., New York, and A. L. Shakman, New York, N. Y., favoring passage of House bill 16844; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Merchants' Association of New York, relative to the Fifth International Congress of Chambers of Commerce; to the Committee on Foreign Affairs.

Also, petition of the Lackawanna Steel Co., New York, and the Labor Council of Greater New York, N. Y., protesting against passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. THISTLEWOOD: Petition of citizens of Coulterville, Ill., against passage of the Oldfield and Brown bill, proposing change in patent laws; to the Committee on Patents.

By Mr. TILSON: Petition of the Bridgeport (Conn.) Branch of the United States Civil Service Retirement Association, against the provision in House bill 24023; limiting the term of office in the civil service to five years; to the Committee on Appropriations.

Also, petition of the New Haven Chamber of Commerce, of New Haven, Conn., favoring passage of House bill 19227, to provide for the permanent exhibit of the resources of the States in the Union in or near Washington, D. C.; to the Committee on the Judiciary.

Also, petition of the New Haven Chamber of Commerce, New Haven, Conn., favoring continuance of the Director of Consular Service and the Division of Information; to the Committee on Expenditures in the State Department.

By Mr. WILSON of New York: Resolutions of the Manila Merchants' Association, of Manila, P. I., favoring passage of bill to dispose of Philippine friar lands; to the Committee on Insular Affairs.

Also, petition of State Council of Pennsylvania, Order of Independent Americans, favoring passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Labor Council of Greater New York, against passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

SENATE.

TUESDAY, June 4, 1912.

The Chaplain, Rev. Ulysses G. B. Pierce, D. D., offered the following prayer:

O Lord, our heavenly Father, who by Thy holy word hast promised that Thou wilt in no wise leave us nor forsake us, and that Thou wilt be with us in the time of trouble, look with compassion upon us, we pray Thee, as we stand before Thee, with hearts pained and saddened. Our hearts are saddened by the loss of the Member of this Congress so suddenly called from the labors of earth; and we are sore pained for the Member of this body, our fellow-laborer, who this hour lies hovering between life and death. Be nigh unto him, we pray Thee, and comfort him with Thy presence. If it be Thy will, send forth Thy healing Spirit and restore him to life and strength, that again he may share the counsels and deliberations of the Senate.

And unto Thee, our Father, whose we are, living or dying, will we render praise now and for evermore. Amen.

The VICE PRESIDENT resumed the chair.

The Journal of yesterday's proceedings was read and approved.

PENSION APPROPRIATION BILL.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 18985) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1913, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McCUMBER. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. McCUMBER, Mr. BURNHAM, and Mr. SHIVELY conferees on the part of the Senate.

FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact and conclusion and opinion filed by the court in the cause of B. L. Garber, administrator of the estate of James Rhodes, deceased, v. The United States (S. Doc. No. 758), which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

He also laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact and conclusions of law filed by the court in the following causes:

Alfred C. Cassell v. United States (Washington, D. C., Navy Yard) (S. Doc. No. 757); and

Hannah McCray, widow of John McCray, deceased, James H. Macon, sr., v. United States (Pensacola Navy Yard) (S. Doc. No. 756).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills and joint resolution:

S. 125. An act to permit the American Academy in Rome to enlarge its purposes, and for other purposes;

S. 2530. An act granting to the city of Twin Falls, Idaho, certain lands for reservoir purposes;

S. 4572. An act to designate Walhalla, Neche, and St. John, in the State of North Dakota, supports of entry, and to extend the privileges of the first section of the act of Congress approved June 10, 1880, to said supports;

S. 4791. An act authorizing the patenting of certain lands to rural high school district No. 1, of Nez Perce County, Idaho;

S. 6508. An act to exempt from cancellation certain desert-land entries in Chuckawalla Valley, Cal.;

S. 6614. An act to authorize the construction of a pontoon bridge across the Red River of the North between Pembina, N. Dak., and St. Vincent, Minn.; and

S. J. Res. 72. Joint resolution making provision for the Fifth International Congress of Chambers of Commerce and Commercial and Industrial Associations.

The message also announced that the House had passed the following bills and joint resolution, each with an amendment, in which it requested the concurrence of the Senate:

S. 5428. An act to amend section 1 of an act entitled "An act to provide for an enlarged homestead," approved February 19, 1909;

S. 3815. An act to amend an act entitled "An act to require apparatus and operators for radio communication on certain ocean steamers," approved June 24, 1910;

S. 6848. An act authorizing the Cooper River Corporation, a corporation organized under the laws of the State of South Carolina, to construct, maintain, and operate a bridge and approaches thereto across Goose Creek, in Berkeley County, S. C.; and

S. J. Res. 97. Joint resolution authorizing the Fifteenth International Congress on Hygiene and Demography to occupy temporary structures erected by the American Red Cross and to erect temporary structures in Potomac Park, Washington, D. C.

The message further announced that the House had passed the bill (S. 5910) granting to the city of Portland, Oreg., certain strips of land from the post-office and customhouse sites in said city for street purposes with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate.